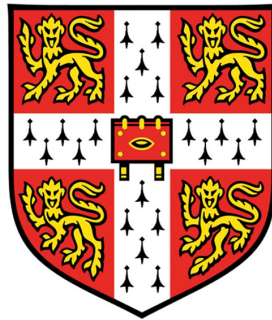


Shipwrecked Heritage and the ‘Midas Touch’ of Colonialism
Owning Hybrid Histories



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DECLARATION

This dissertation is the result of my own work and includes nothing which is the outcome of work done in collaboration except where specifically indicated in the text.

This dissertation does not exceed the 15,000-word limit of the Archaeological Degree Committee.

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List of Abbreviations

ASA= Abandoned Shipwreck Act
Odyssey= Odyssey Marine Exploration Inc.
UCH= Underwater Cultural Heritage
UNCLOS= United Nations Convention of the Law of the Sea

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Abstract

This dissertation focuses broadly on how groups own a shared history, whether through doing so by legal property rights or by intellectual or cognitive ownership. It uses examples of material that by its nature is an assemblage from a variety of groups, and indeed at the time, different worlds: ships and their associated cargo between the ‘Old World’ and the ‘New World’ from the 16th to the 19th century. Because these wrecks carry the material of multiple nations both past and present, and due to their locations in international water, ships offer unique opportunities for stakeholders to emerge beyond the boundary of the nation state, which often defines archaeological ownership. Rather than shipwrecked assemblages or ‘treasure’ representing just one category of value, be it monetary, national, or educational, these ‘amphibious’ pieces link both land and sea, public and private property, and tangible and intangible heritage. Using interviews with curators and experts in the field of underwater cultural heritage, a case study, and two databases of shipwrecks with their associated material and ownership battles, the discussion will reveal the tension of owning colonial cargo, and the need for a solution that calls for co-owning hybridity.

Introduction

In 2016, newspapers released information about a discovery of anachronistically biblical proportions: a “Holy Grail” of shipwrecks had been located off the coast of Colombia, with the estimated worth of 20 billion dollars (Drye, 2018, n.p; Watts and Burgen, 2015: n.p.). Identified as the *San Jose*, its international contents spurred ownership claims from several countries that identified themselves as stakeholders¹ of a ship entangled in multiple nationalities. In 1708 the British sank the ship off the coast of Cartagena, scattering gold and silver from Peru and Bolivia, emeralds from present-day Panama, and other artifacts taken from a variety of South American countries (ibid). While the material, or ‘treasure’ (as it was called publically) was indeed on a Spanish ship, it was intended for France at the order of King Louis IV in order to help King Phillip V of Spain in his fight against Britain (ibid). Due to this confluence of nationalities represented in both the ship’s story and in its material, countries other than Spain have asserted their rights to the contents in ways unparalleled in land-based restitutions. In a 2007 Colombian Supreme Court case

¹In this case the term “stakeholders” is a term used to connote any group that identifies itself as being impacted, both positively or negatively by a find (AAS, Lading and Fletcher, 2005: 31).

concerning the *San José*², Colombia asserted rights to “over 50% of the part considered to be treasure and *full* rights to everything considered to be part of its cultural heritage” without providing a definition of what cultural heritage actually constituted (Rengifo, 2018; n.p.) The decision revealed a divide between ‘treasure’ and ‘culture’ without acknowledging that the two could be one and the same. Other former colonies of Spain claimed the ‘treasure’ on different grounds; as a Peruvian newspaper argued: “[...] modern-day Spain is not the sole successor to the Catholic Monarchy’s South American Empire, and therefore should not be the only owner of *San José*’s cargo (Mirasola, 2016, n.p).

Claims of former colonies are buoyed by a rising tide of intellectual ownership of intangible history, placing greater importance on the circumstances of the material’s creation and origin (involving mining and slavery) than the material’s status as ‘treasure.’ In a similar case involving Old World/New World cargo, Moore argues that Peru should have “preferential rights” to the coins based on arguments that mirror legal damages:

“The Spanish domination of what was the New World was brutal and horrific...during the first century the Indian population apparently declined by nearly 80 percent due to overwork, malnutrition, and the introduction of diseases. It took over 300 years to replace that loss in population, and the coins are argued to constitute a natural resource that is protected under international law” (Moore as cited in Alderman, 2010: 4).

Arguments that colonial metal was a stripped natural resource indeed stretch back over 20 years; in 1994 the city of Potosí, Bolivia, claimed ownership of the cargo of silver and gold recovered from the wreck of the 1564 *El Capitan* on grounds that the precious cargo was mined from areas that are today within the Bolivian national border (Craig, 2002: 52; Schemo, 1994).

From 1492 onwards, ships’ journeys over a once impassible distance linked two ‘world’ cultures— an unequal and irrevocable bond that nevertheless remained invisible on the ocean’s surface. The remnants of these networks, both the legal, and the illicit, are not visible as traditional

² See Rengifo, 2018, in which Sea Search Armada was granted salvage rights under “DIMAR” policy in 2007.

heritage monuments; perhaps if the ships' paths were marked in stone, or revealed footprints of a well-trodden causeway, these networks would be legally protected. Instead, the routes' transparency paradoxically obfuscates claims of national, legal, and cognitive ownership over historically shared, or 'hybrid' material.

Shipwrecks in their very material culture are hybrid forms; their wood was sourced from inland, their contents comprised of material from around the globe, and their people encompassed a host of transitory groups. It is also a particular type of archaeological assemblage: as Rodney highlights, "a lot of archaeology involves looking at things that have been discarded. Shipwrecks, by contrast, are full of things that were in the midst of their life as working objects" (2012: 384). These "working objects" reveal hybrid cultural tensions that go understudied due to their dispersal post-recovery.

In land-based archaeology there is no way to legally 'loot' a site, while commercial salvage companies, private persons, and self-proclaimed treasure hunters may do so for wrecks. Despite a shipwreck's vulnerability to private salvage, however, its position allows for more unconventional definitions of cultural ownership. With an acknowledgement that 'cultural property' is a 'political construct' (Merryman, 2006) former colonies such as Peru and Colombia are using the ambiguity in shipwreck management as a way to reconstruct definitions of property to expand their material heritage.

Shipwrecks rest on an underlying question of where the Old World meets the New, and not just in terms of international boundaries, but also in terms of the pieces of cargo themselves. Where, in the process of material transformation, does an Inca figurine become a Spanish coin? While topics of networks and hybridities have long been in archaeological discussions, the question of how post-colonial hybridities have been legally managed remained rooted to land-based archaeological

and legal discourse.³ Instances such as a call to Britain for the restitution for the Benin Bronzes based on the injustice of colonial rule (Kiwara-Wilson, 2013), and Melanie Wiber's work on 'relative publics' have revealed a rise in the acknowledgment of post-colonial restitution and that heritage involves a plurality of publics (2006).

This dissertation seeks to understand the consequences of ownership of these wrecks, both purposeful and unintended. It reveals that current schemes both allow for an inaccurate representation of hybrid history and a singular management over a shared past that favors, even after hundreds of years, the rights of the colonial power, or, as called in maritime law, the 'flag' state. It will demonstrate that in the plethora of ways that hybrid objects changed hands, as soon as they came into contact with Spanish ones, they became Spanish, from the past to the present-day court system. This 'Midas Touch' of colonialism, induced through national rhetoric and confirmed legally, erases ideas of hybrid heritage by placing greater historical value on gold, and then turning all gold to Spanish. Shipwrecks are effective case studies to analyze broader calls for post-colonial repatriations or custodianships given that their locations command a re-imagining of geopolitical borders, and that their material was wrought by a multitude of identities.

Imperative to the discussion of ownership is the acknowledgement that the 'value' of reclaiming these wrecks is a blend of both national pride and monetary potential. Throckmorton for instance, estimated that "nearly 1 million tourists would spend an extra day in Sweden just to see the *Vasa*, which at about \$300 per day per tourist, adds several hundred million dollars per year to Sweden's economy" (1990, as cited in Hallwood and Miceli, 2006: 287). In a similar example, Throckmorton found that about 100,000 people per year visited Cyprus's museum in Kyrenia after artifacts from a 4th century BC shipwreck were made public (ibid). Governments can also choose to benefit through selling an entire wreck. In the case of the *Belitung*, the Indonesian government

³ See Renfrew, (2000) *Loot, Legitimacy, and Ownership* for more information on land-based issues of looting.

commercially salvaged the goods of a 9th century wreck and sold the contents to the government of Singapore for 32 million US dollars (Watson, 2017: n.p). It is now on display in the Asian Civilizations Museum, after having been rejected by the Smithsonian over ethical concerns on exhibiting commercially salvaged wrecks (Harper, 2017: n.p.). Given that these shipwrecks are composites of capitalistic and cultural value, designating the owners is a complex and yet a high-stakes issue for both economic growth and national pride.

To reclaim the material, former colonies must claim the immaterial: i.e., importing less the ‘style’ of a coin, and more so its origin of the source material, the identity of the person who forged it, or simply ‘righting’ a historical wrong of colonialism. As Lopera (2017) indicates, repatriation, or the act of a ‘return’ is at its heart an ‘exercise in memory that guarantees a bit of dignity and national identity’ (Lopera, 2017: n.p. See also Bustamantes, 2016). In claiming a right to the material, former colonies are also claiming a right to their representation in history. Throughout 19th and 20th century anthropology, material culture was deemed a “reflection” of culture; lack of material evidence signaled a dearth of civility, placing non-western cultures to the bottom of teleological rungs (Fowler, 2010: 4).

Objects and artifacts outlive us by “keeping alive the collective memory of societies and families that would otherwise be forgotten” (Riggins, 1994: 2). By erasing cultural objects, one can erase evidence of personhood. That pre-Columbian metal was re-worked into different forms under colonial rule effectively erased these traditions; unable to testify to their complexity, these objects became ‘void heritage’ in which former colonies were only allowed to claim the negative space in which the objects once were, never what the objects became.

The history of the Columbian Exchange, of these vital entanglements of the Old and New World, are of global historical importance and yet according to precedence are legally owned by Spain, or even if owned privately are still constituted as ‘Spanish’ material. The following discussion

seeks to unravel the implications of joint custody over history: material that ‘genealogically’ belongs to at least two, if not more parent nations and yet legally speaking can only be managed by one. This argues that imbedded in material culture are intellectual rights, or at least “cognitive ownership” claims (Boyd, 2012) that while not exclusively legally defined, are increasingly claimed on ethical grounds by former colonies that wish to have their heritage restored. As the trends of awarding finders with the artifacts they locate diminishes in favor of repatriation, there is a need to properly define what historical significance is, for whom, and the implications of privileging one public’s claim over another’s.

Methods

In *Heritage Studies*, Sorenson and Carman highlight that while there are many theorists who dissect object biographies and changing value frameworks (Appadurai, 1986; Thompson, 1979) that “less attention has been given to developing methods for looking at things, monuments, or landscapes as heritage” (2009: 7). In acknowledgement of this lacking framework, these methods are meant to provide a general scaffolding for gauging if objects are indeed ‘hybrid heritage’ by evaluating how multiple stakeholders claim ownership, and where evidence of these claims are located in the objects themselves.

In order to understand the surfeit of competing ownership claims, this dissertation will first map the scope of wrecks in two principal ways: the origins and dispersal of material in the private market, and the legal outcomes of most ships that enter the courtroom. I define the wrecks as ‘associated with the exchange’ if they have material (like precious metal) that originated from or was associated with the New World. While there are several sites and auction houses through which one can purchase this material, I analyzed the catalogs from *Daniel F Sedwick Treasure Auction*, due to its long running history (from 2007 to present) and the fact that it hosts material from several high

profile shipwreck cases. I reviewed a decade-worth of material on the private market and recorded the total of how many wrecks were featured across the catalogs (if the same wreck repeated across multiple catalogs I would only record it once.) This resulted in the cataloging of 72 different wreck sites associated with ‘the Columbian Exchange’ in Appendix B and C.

To date, no database of wrecks associated with the Columbian Exchange has been created. While some authors have included lists of case-law involving shipwrecks (Strati, 1995; Varmer, 2014), no one has clustered legal outcomes to track the frequency of which stakeholder party wins purview over the artifacts most often. I collected data from both legal literature and maritime archaeology citations that had the historical focus of the Columbian Exchange, applying Ole Varmer’s methodology of plotting legal statutes and their dates to track legislative changes within Underwater Cultural Heritage, or UCH (See Varmer, 2014:3, Table 1). The data from these surveys are compiled in Appendix A.

For a finer-grain approach to the discussion of colonial heritage management, I introduce a case study of the *Mercedes* shipwreck, which will illuminate the difficulties and tensions of heritage claims over hybrid history. The study demonstrates how the court system legitimized claims of a national past based on a perceived continuation of Spanish history, and devalued claims to an archaeological past based on intangible heritage.

An additional research aspect involved archival research in the *Archivo General de Indias* over a 9-day period in Seville, Spain in April 2018. The purpose of this was to better understand how the ownership of wrecks was dealt with at the time of their sinking, to both track a) the frequency of disaster, and b) how property changed hands throughout the empire, from the time that it was mined to the time of its shipwrecking. Documents were found through combined keyword searches in consultation with the main archivist. The very act of researching shipwrecks, however, revealed the degree to which private salvage companies have infiltrated Spanish historical resources. An

article as recent as January 2018 describes a project that permits indexing part of the archives that contains sensitive information regarding shipwrecks away from the public (Iriberrí: 2018, n.p.).⁴ Thus, my archive usage comes with the caveat that I did not have access to all information surrounding shipwrecks and their contents.

This research also draws from interviews of experts of UCH, curators, and archaeologists. I did not use the same questionnaire for all parties in order to cluster data on a particular response, but instead had organic discussions with the goal of filling conceptual gaps of how certain legislature was created or how exhibits were conceptualized. Finally, this work draws upon museum visits with collections that focus on shipwrecks. I used these visits to photograph shipwrecked material and looked for whether text in the labels acknowledged a hybrid past, and more broadly whether discussions of ownership were pursued in the overall narrative. Observations include in Madrid those of the *Museo Naval*, and the *Museo de América*, and in New York from the Metropolitan Museum of Art.

State of the Art

Maritime Archaeology and Underwater Cultural Heritage

A Definition of Terms

The terms ‘maritime archaeology’ and ‘underwater cultural heritage’ (UCH) are related but distinct. ‘Underwater Cultural Heritage’ has its own definition as outlined by UNESCO and refers to sites

⁴ See Iriberrí. (2018) “Como evitar que los cazatesoros roben nuestros naufragios más valiosos.” *El Español* 12 of January 2018. Translation: “How to avoid treasure hunters from robbing our most valuable shipwrecks.”

that have been submerged in water for at least 100 years (UNESCO in Forrest, 2002: 523)⁵. UCH and underwater archaeology can refer to sites that were once coastal and have since slipped into water after environmental change or natural disaster. Maritime archaeology, by contrast, refers exclusively to the archaeology of ships and seafarers. Though the ships fall into the category of UCH because of their recovery from the sea, I refer to the ships as mostly maritime archaeology since I believe that this is a more accurate representation of the ship's transitory nature and lack of 'sited-ness.'

Called by some to be the 'final frontier' (Delgado, 2017) maritime archaeology is a recent field, started mostly in the 1960s as a result of improved diving equipment and detection methods (Smith and Harris, 2002: 309). Ownership has almost always been a central question in maritime archaeology, as archaeologists, salvors, and nations often try to claim ties to a ship's contents in cases where these lie in international waters, beyond the Exclusive Economic Zone, (the EEZ.)⁶ Outside of clear national borders, the wrecks do not automatically become international heritage. Instead, their distances create legal ambiguities that prompt stakeholders to assert claims that they would be unable to do on land, such as rights based on origins of the materials or the nationality of the finders.

The literature on maritime archaeology has thus almost always had some component of defining ownership, though up until very recently, these discussions centered on whether the rights

⁵ Underwater cultural heritage is defined in the convention as:

- i) all traces of human existence having a cultural, historical, or archaeological character which have been partially or totally underwater, periodically, or continuously for at least 100 years such as
- ii) i) sites, structures, buildings, artefacts, and human remains, together with their archaeological and natural context
- iii) vessels, aircraft, other vehicles or any part thereof, their cargo or other contents, together with their archaeological and natural context and
- iv) iv) objects of prehistoric character.

⁶ See definition of the EEZ as provided by National Ocean's Service: "The US Exclusive Economic Zone extends no more than 200 nautical miles from the territorial sea baseline and is adjacent to the 12 nautical mile territorial sea of the US, including the commonwealth of Puerto Rico, Guam, America Samoa, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and any other territory or possession over which the United States exercises sovereignty" (<https://www.nature.com/news/show-of-shipwrecked-treasures-raises-scientists-ire-1.21429>)

of the salvor (who located the treasure) should supersede the rights of the nation or state closest to where the ship was recovered. Topics did not include discussions of the right of the colonial power versus those of former colonies.

Shipwreck disputes are managed through a case-by-case basis that each creates precedence. The location and looting of a Spanish galleon, *The Atocha* by Mel Fisher in 1971 catalyzed the discourse of owning maritime heritage. After a legal battle between Fisher and the State of Florida⁷, Fisher was awarded private ownership of the ship and its cargo, a decision that highlighted the lack of UCH management frameworks. The result ignited both a scholarly and professional discourse about best practice, and also a rise in commercial treasure hunting by people that some were quick to deem as “white collar looters” (Yates, 2017 interview) in which looters’ actions were technically legal and yet grated against the “moral economy” (Fassin, 2015: 2) of the value of protecting material culture. The *International Journal for Nautical Archaeology* was founded in 1972, just a year after the discovery of the *Atocha*. Because the *Atocha* had not consistently been scientifically excavated (Mathewson and Fisher, 1986) access or discussion of its content was simply not available to other subfields interested in its past, including historians, anthropologists, and archaeologists interested in colonial Latin America. As a result, there have been virtually no critiques of the *Atocha*’s ownership that focus on the ownership rights of the former colonies (such as Peru and Mexico) against the former colonizer of Spain.

Many academics have been concerned with private versus public ownership of archaeological material located in the sea (Grenier, Nutley and Cochram, 2006; Hallwood and Miceli 2006). Yet Craig Forrest (2002) questions not just how the laws are interpreted surrounding maritime cultural heritage, but also how the structure of the laws and international management reveal conflicting value systems. Christopher Noel’s 2014 *Salvage at your Own Peril* is another example

⁷ See Florida Dept. of State v. Treasure Salvors 458 US 670 (1982)

of such a work, looking into why the law historically favored salvers, and what these former decisions mean for the treatment of cultural heritage today. Similarly, Jennifer Tsai (2008) interrogates how salvers can often claim ownership without positively identifying the true historic nature of the vessel, which would hinder a flag state's ability to issue claims. Similar to Forrest's, Noel's and Tsai's analytical approach, this dissertation questions not if the law has been applied 'properly' to ownership, but instead how the very structure of the law undermines, reifies, and/or intersects with competing heritage claims. Through privileging national heritage claims over others, the discussion reveals that in addition to the existence of a culture of courts, courts *create* culture.

Theory: Entangled Networks

Though the field of archaeology relies on material culture to be diagnostic and thus 'belong' to disparate groups, in the past decade, more theoretical analysis has been done to understand the threads, rather than delineations between culture(s) across time and space.⁸ Ian Hodder's *Entangled: an Archaeology of Relationships* (2012) seeks to investigate not just how groups define 'things', but also how 'things' ultimately define us; an example of these effects of objects upon people would be how silver promulgated new economies and social systems of the African slave trade in the New World (Stein, 2000). Most importantly, Hodder speaks to how social systems and immaterial forms of knowledge become encoded into the objects themselves: "There are engineering aspects to a jug. We need to understand the physics and chemistry to see how it works. We need biology to understand how the flowers in the jug can be nourished" (2012: 14). Entanglement theory argues that people as we culturally define them simply do not exist in absence of objects; to extrapolate, in destroying or changing objects, one is able to manipulate both evidence of the past and proof of personhood.

⁸ See also Kappet, Carl (2013) "An Archaeology of Interaction: Network Perspectives on Material Culture and Society"

While Hodder's work contains a higher-focused lens through which to view archaeological material culture, there are only a few works that have specifically applied this argument of entanglement and networks to maritime heritage: Westerdahl states: "the mere fact that most shipwrecks were deposited on the seafloor cannot be of significant importance for an academic discipline that aims to understand maritime ways of life— they simply belong to a cultural landscape, a maritime cultural landscape" (as cited in Tuddenham, 2010: 7). He continues that individuals often belong to several groups and cultures at the same time and that one cannot truly understand ships without "a profound study of their roots" (ibid: 5). In "Maritime Cultural Landscapes, Maritimity and Quasi Objects" Tuddenham critiques the "particularistic investigation of shipwrecks" that has marked maritime heritage, and calls for archaeologists to position maritime archaeology as a network that engages with "terrestrial archaeology" (2008: 7-9).

This dissertation responds to Tuddenham's call by encompassing a broader interpretation of maritime archaeology that situates it within a global, and land-based network of varying communities that can lay claim to heritage in different ways. While the field has indeed started with a particularistic interest in ships, it has often ignored the broader networks that began and ended on land— that the ships' lives ended in a 'maritime landscape' is accidental. The ships represent a route that brought pieces of the world that had never before been intersected, as if folding the corners of the map so that cities globally 'touched' in new ways. Often ignored is that ships were not just national missions that started and ended in one trip: they were floating border towns that represented, in some networks, like the 'Columbian Exchange' a bridging of two or more different worlds. Ships' cargo contained these hybridities, leading to larger questions of who controls the past, especially that of the post-colonial. Though there may have been early boundaries between the 'colonized' and the 'colonizer' these definitions became fluid or "intersectional" (Kimberlé Crenshaw as cited Brooks, 2016: 8) within a mere generation of Spanish rule. Inca elites coordinated

with the Spanish in colonial governmental duties, and Spaniards married female Inca royalty that still kept their titles as *ñustas*, or princesses (Brookes, 2016:10).⁹ This in turn led to a new class of individuals referred to as *mestizos* or ‘mixed’ (ibid). There were indeed so many new forms of social hierarchies that artisans in the New World created the infamous *Casta* paintings, which were meant to display hierarchies of class. Colonial ‘heritage’ is thus a modern mapping of current identities upon past ones. While this dissertation uses terms such as ‘indigeneity’ or ‘Spanish heritage’ one must acknowledge that these terms are heuristics of complex social phenomena that are now applied to objects and schemes, further complicating the notion that something can be of purely ‘Spanish’ or ‘indigenous’ heritage.



Part 1. The Columbian Exchange and the Social Life of Colonial Cargo

Alfred Crosby's 1972 *Columbian Exchange: biological and cultural consequence of 1492* is a seminal work in the theory of global history and biology. His analysis treats the conquest of the Americas as a "multi-species" (Kirksey, 2010) effort in which invisible actors of microbes and pathogens were the most powerful, but misunderstood weapon of European conquistadors and immigrants. Since coining the term "Columbian Exchange" Crosby ignited an interest in colonial interactions between the Old and New World, that has since expanded to the fields of sociology, (see Carney 2001) medicine, (see Espinosa, 2013) and art history (Adorno, 2011 Rappaport, 2012, Phipps et al 2004). The ships carried both tangible and intangible goods, with their physical material revealing rich information about different tastes and economies, and their immaterial products of religion and disease forever shaping communities at their harbors and beyond. Ships bound to the New World carried hardwares like nails, mallets, knives, vinegar, wine, and also slaves, as evidenced by such wrecks as the 1554 fleet near Padre Island (Marken, 1980: 102). Cargo bound to Spain not only carried precious metal, but also wool, cochineal (a beetle used by many Andean communities to make a red dye) and medicinal herbs (ibid).

While the Columbian Exchange is widely recognized as a historical event, the term has not been specifically applied to *material culture*. I use this term because much like Crosby's 'pathogens,' not all aspects of the exchange were controlled by conscious actors. While the Spanish created an economy based on silver, they did not pragmatically create a cultural taste for precious metal based on an abundance of resources- their preferences catalyzed new aspects of material culture, which often counteracted with ingrained visual systems of other groups.

While notions of 'hybridity' (Canclini, 1995) have been used to describe the tensions present in colonial Latin America, the term has not specifically been applied to the way that multiple groups can own a 'hybrid history.' Shipwrecks from these times are historically vital: "virtually everything crossed from the New World to the Old World on these ships: it was a bridge of vessels that carried peanuts, sweet potatoes, syphilis, sugar cane, new ideas...this was where the great encounter, the great exchange, took place" (Lyon as cited in Schemo, 1994: n.p.). While the ships are the strongest material evidence of these nuanced exchanges, their vulnerability to both plunder and differentiating legal outcomes leads to a dispersal of their material, and an obfuscation of hybridity.

Tuddenham's notion of the "quasi-object" (2008) positions how colonial objects from the Americas enter into nebulous definitions of ownership, in the sense that the style of the object does not necessarily belong to one exclusive culture. Examples of hybrid, "quasi objects" include indigenous materials that were adopted to Spanish tastes, and indigenous products appropriated from Spanish goods and novelties, such as exotic European designs for weaving patterns (Phipps et al 2004). Awed by Aztec shield featherworks, the Catholic Church commissioned their own feather mosaics; however, anything with 'savage' iconography was eventually deemed idolatrous and liquidated. Only four shields survive today (Richeter, 2017: 109).



Figure 2 Feather Altarpiece from Hofburg Imperial Palace, Vienna, Austria, New Spain, Mexico, 16th Century Photo by author, 2018.



Figure 3 Nuu Dzaui (Miztec, People of the Rain god). Hofburg Imperial Palace, Vienna. This sculpture probably arrived in the Viennese Chamber of Treasures from the Graz Chamber of Treasures. Earlier it was designated as a "Moor's face" and also briefly as coming from New Zealand. Mexico, 1500. Photo by Author.

Many examples of these ‘hybrid’ objects have resurfaced from shipwrecks and yet have not entered into the academic discussion as being not only evidence but also *heritage* of the Columbian exchange. In the examples of featherworks, the only evidence of the parrot trade between Europe and the Americas has been found in a shipwreck, with the remarkable discovery of bones from the Aratinga/Pionus in the *Dry Tortugas* wreck commercially salvaged by Seahawk Exploration (Cooper and Armitage, 2012).

Figure 4 Parrot Bones from Dry Tortugas Wreck. Photo from Cooper and Armitage 2012.

Demonstrating these intersections of style and material reveals an issue of who gets to claim cognitive ownership. With the rise of recognition of intangible heritage, (see UNESCO 2003)¹⁰ the question is not now who owns the feathers, but to whom *featherworking* or *silverworking* belongs.

Within the field of heritage studies, ideas of hybridity and of ‘shared,’ ‘tense’ or “difficult” heritage”(MacDonald, 2016) are well established. Several scholars have stipulated that all heritage is

¹⁰ UNESCO, 2003: Article 1. The “intangible cultural heritage” means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage.

contested: “[...] at its simplest, all heritage is someone’s heritage and therefore logically not someone else’s” (Meskell, 2002: 566).¹¹ As Ashworth and Tunbridge assert, “dissonance” is “intrinsic to heritage since “heritage involves “a psychic tension caused by the simultaneous holding of mutually inconsistent attitudes”(1996: 20-21). One of these “psychic tensions” is that while objects of heritage might be tangible, the importance that they invoke is *intangible*. Indeed, as both Laurajane Smith and John Carman illuminate, “all heritage is intangible” as different groups and people will apply different “heritage gazes” that result in kaleidoscopic meanings of the same object or site (Smith, 2006: 11). Smith famously argues that academics create, rather than simply recognize these important gazes by constructing an ‘Authorized Heritage Discourse’ (Smith, 2006). Shipwrecks, however, complicate one of Smith’s arguments in that heritage is always bounded:

“[...] linked to the idea of materiality of heritage is the idea of boundedness. Heritage has traditionally been conceived within the AHD as a discrete ‘site’ ‘object’ ‘building,’ or other structure with identifiable boundaries that can be mapped, surveyed, recorded, and placed on international site registers”(Smith, 2006: 31).

Graham Ashworth and Tunbridge make a similar claim in that “heritage must occur *somewhere*” (2000: 4) Of course, ships and their contents can be mapped, yet defining what constitutes an archaeological site has been a question dominated by the court rather than archaeologists. Depending on where the wreck is found, a site can constitute the ship and its cargo; alternatively, it may only represent the ship with the cargo as a separate entity.¹²

While I have so far attempted to outline the connections between the New and the Old World, a weakness in this argument is that the dispersal of ship cargo is so wide that outlining the boundaries of an exchange route and naming its protagonists is a counterproductive task.

¹¹ For additional work, see Silverman, 2010 *Contested Cultural Heritage: Religion, Nationalism, Erasure, and Exclusion in a Global World*.

¹² For Cargo that was divided between the state and the salvors, see *Platoro Ltd v the Unidentified Remains of a Vessel, Her Cargo, Etc. (USA 1975)* For Cargo that could not be taken as Private property away from the shipwreck hull because it was deemed a disservice to the public, see *Lathrop v Unidentified, Wrecked, and Abandoned Vessel 817 F. Supp. 953 (1993)*

Envisioning the ‘site’ of the Atlantic and beyond as a location of the Colombian Exchange is ambitious for the public imaginary. Speaking to the danger of a modern discernment of borders over ancient oceans, Naor Ben-Yehoyada reveals that applying a “modernist definition of the Mediterranean [past] to present runs the risk of being anachronistic (2018:11). Understanding the ‘regionalist imaginaries’ (Ben-Yehoyada, 2018) that people map onto the Mediterranean is essential in understanding how one can speak about a ‘Mediterranean heritage’ filled with culture from the ‘Classical World’ and yet not an ‘Atlantic’ heritage, which includes too many worlds to be considered regional. Most importantly, however, his article aptly points to an elasticity in borders that are manipulated in order to lay claim to heritage once an object is located:

“A relic’s location at the bottom of the sea detaches it from an immediate and self-evident claim to ownership by any one state. Instead, in the case of occasional discoveries, several states related to different moments in the relic’s life could have made claims to some binding relationship to it until recently”(2018: 226).

The silver and gold from the New World all went through a process of material transformation, and its material, its artisanship, or its ultimate location of discovery are all legitimate features of the object throughout its “social life” (Appadurai, 1988). In other heritage-based examples we allow *people* to belong to multitudes of identities: famous figures have their lives marked by the houses of their birth, sites discreet from and yet narratively related to their headstones. For material culture, particularly for material culture of colonialism, we are hesitant to afford the same multitudes, even when the social lives of artifacts are inscribed into the objects themselves: like passports with overlaying stamps, treasure bars were stamped with the *quinto* tax¹³ marking ownership that left not only paper trails, but also metallurgical ones.

¹³ Also known as the “Royal 5th” this Spanish Royal taxation system designated that at least a 20% of New World Metal belonged to the crown (Grafe and Irigoien, 2006).



Figure 5 Silver Treasure Bar no.85A-S296 recovered from the Atocha. Shows assayer's mark and taxes. Image from Mel Fisher, <http://www.atochatreasurecoins.com/atocha-silver-bars.htm>

Up until recently, the only legitimate feature of the object's social life as grounds for ownership was its gravesite: i.e. where the object's life 'ended' in colonial hands. Given cases such as the *San Jose*, however, new debates have emerged as to whether one stage of the objects' life is more legitimate than the other. Tracking the transformations, social lives, and networks involved in the Columbian Exchange is difficult, but is necessary in order to trace its dispersal. New World metal, made into Spanish 'pieces of 8' was once the most widely circulated currency in the entire world, with Spain constituting the first truly "global empire"(Stein 1970, Woodcock, 2009: 104). Even in their new lives as 'artifacts' rather than currency, coins or treasure bars such as these may still be among the most globally dispersed archaeological item on the private market.

Part 2. Heritage Tried and Sold: Shipwrecks from the Market to the Courtroom

Shipwrecks were frequent for both the Spanish Empire and in the ancient world.

Internationally, UNESCO estimates that there may be as many as 3 million undiscovered wrecks (UNESCO 2003, as cited in Hallwood and Miceli, T, 2006). Understanding the exact number and location of shipwrecks is challenging, as archaeologists are worried that publishing data on wreck locations will only attract salvaging (Varmer, 2018: interview). Through aggregating data both close to the wrecks in time, together with modern data from commercial catalogs, one can glean information surrounding the number of wrecks that have been discovered, salvaged, and dispersed to the private market. The catalogs of ‘treasure’ items available encompass privately salvaged goods and formerly de-accessioned national material (See the Appendix C for full database). Fascinatingly, there are moments in which items for sale are not the sole property of the finder: there were a few instances in which governments had contracted salvers and then split the material, essentially reverting to a form of “partage.”¹⁴ The sheer number of wrecks, dispersed globally from Argentina, to Cape Verde, to the Philippines, reveals the vast scale of Columbian Exchange history that goes unprotected, and indeed, understudied (see Appendix B). The catalogs also underscore the immense dispersal of this material both geographically and in their ownership schemes post-salvage. Through reviewing the catalog profile descriptions of represented shipwrecks, it appears that most of the material (over 80 percent) came from private salvage, though there were some cases that involved a

¹⁴ “Partage” was an antiquated practice in the 19th century in which excavation teams would split material between governments (O’Connor: 2014, n.p.).

legal battle with a split of material, an agreement between the nation and the salvage company to split material, or an agreement between private museums and salvors¹⁵ (See figure 6).

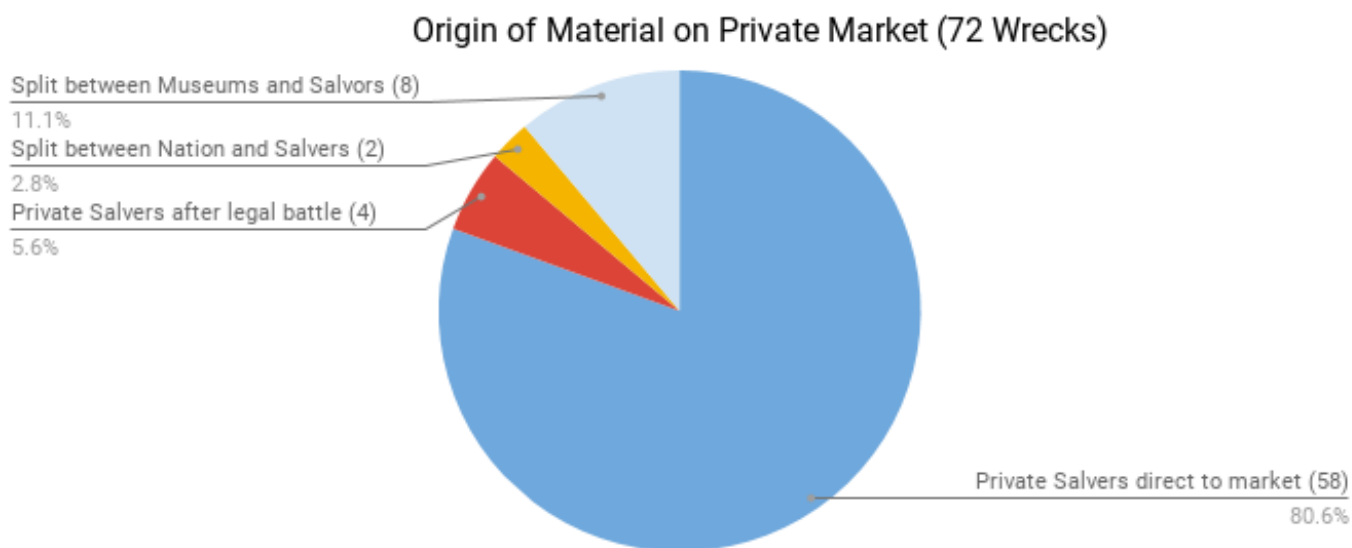


Figure 6 Graphic based on Appendix C. Graphic by author.

Understanding how items traveled from their sites to the treasure catalog necessitates an overview of ownership claims. While the above has attempted to track the dispersal of objects in the marketplace, the next section will focus on the culture of courts, using information tracked through case law citations and through information available in Strati, 1995. To date, there is no central database tracking shipwreck ownership claims. While this database is incomplete, it begins to elucidate information on why certain ownership claims were legitimized while others were dismissed. The following chart draws from 37 cases from the 1970s to present. When shipwrecks were brought to court, there were four most common outcomes: 1) in (US cases), 25% of shipwrecks were awarded to the local state, a number paralleled by 2) the number of shipwrecks awarded to private

¹⁵ See *platoro Ltd v the Unidentified Remains of a Vessel*; *Cobb Coin v. unidentified wrecked and Abandoned Sailing Vessel*; *Columbus America Discovery Group v. Atlantic Mutual Insurance Co.*

salvers. 3) About 15 percent of wrecks went to the federal government where the ship was found. Finally, 4) 21 percent of wrecks returned to the original ‘flag-state.’ The three exceptions include cases in which competing salvors were involved in co-ownership (the Titanic)¹⁶ two in which the salvors were not awarded the artifacts, but instead given a salvage award paid by the state¹⁷ and one case in which the contents were split 50/50 between state and finder.¹⁸ (See fig. 7).

Ownership of 37 Wrecks

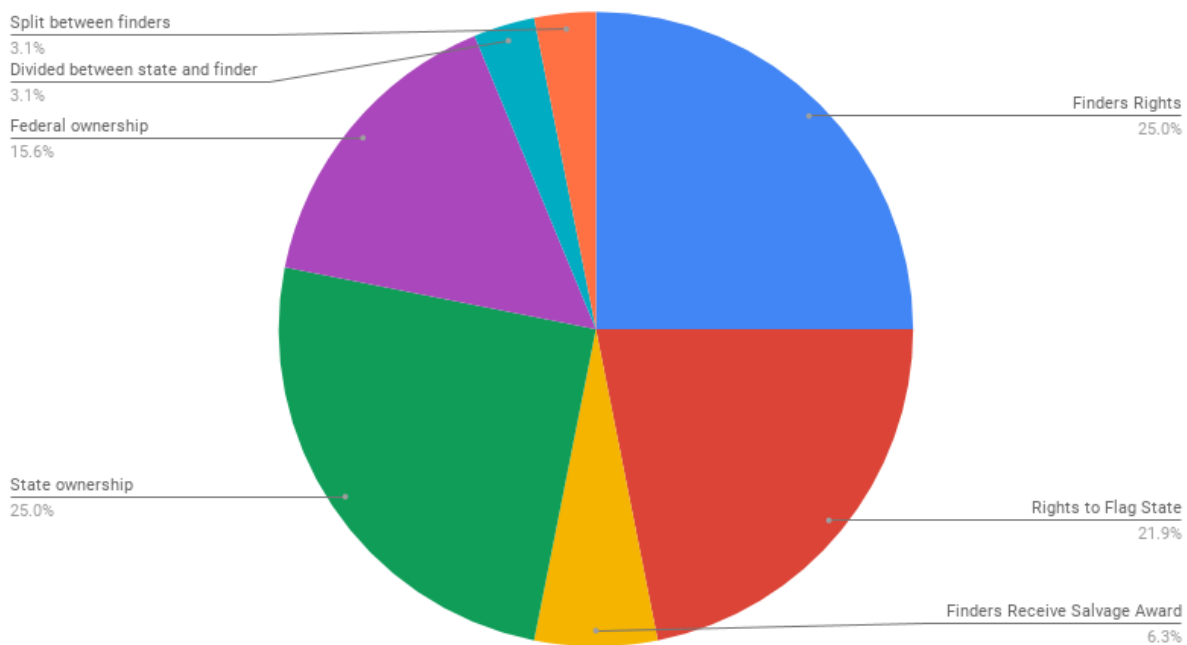


Figure 7 Chart based on data in Appendix A. Graphic by author.

¹⁶ For more information on the Titanic agreement, see Dromgoole, (2005) “The International Agreement for the Protection of the Titanic.”

¹⁷ Columbus-America Discovery Group v Atlantic Mutual Insurance Co. and Cobb Coin v unidentified wrecked and abandoned Sailing vessel (Cobb coin II) 549, F Supp 540, 561

¹⁸ (PlatoroLtd v the Unidentified Remains of a Vessel, HerCargo, Etc. (USA 1975)

In summation, the chart reveals that the most common ways that ships are owned is by state, federal, or flag-state governments, with salvers' rights acknowledged in about a quarter of all cases. In combination with fig 5, this means that a quarter of shipwrecks are responsible for about 80 percent of the material on the private market. This chart comes with the caveat that the results do not reveal how legal or legislative interventions have greatly changed the frequency of public and private ownership, and indeed, after the introduction of the 1988 "Abandoned Shipwreck Act" or (ASA) which transfers the title of historically important shipwrecks to the state, many believe that the frequency of salver awards has been reduced (Fischer, 1987; Hallwood, and Miceli, 2006).

The injustice of colonial rule has never been acknowledged as grounds for a former colony being named as a 'superior claimant.' Yet as more shipwrecks are found, and more material is viewed owned as not necessarily legally but cognitively by former colonies, the need to designate what constitutes as 'historically valuable' becomes a pressing issue. In order to understand the intricacies of these legal cases it is necessary to move to an in-depth analysis by which the reader can understand the articulations of stakeholder groups. The following section outlines the case of the *Mercedes* before discussing the repercussions of sole ownership over hybrid history.

Part 3. Case Study: *Nuestra Señora de las Mercedes* and the Colonizer in Court

On October 5, 1804, the English sank a Spanish frigate off the coast of Algarve in Portugal (Eulate and Ortega, 2012). In 2007, commercial company Odyssey Marine Exploration located the wreck containing colonial coins that they claimed were worth 500 million US dollars (Tsai, 2008: 211). Odyssey's denial of identifying the vessel, appears to have been strategic, since doing so would prompt Spain to reclaim sovereign property (Varmer, 2018 interview). The ship was later conclusively identified as *Nuestra Señora de las Mercedes*, its title announcing its entrance into a

multilayered legal battle involving Spain, Peru (who claimed the coins should return to them on account that they were minted in Lima), Odyssey, and 25 descendants of private persons who owned cargo on the ship (Alderman, 2010: 3). The case¹⁹ raised many questions regarding ownership, including the jurisdiction of sovereign immunity, but also, as legal scholar Jie Huang identifies, unanswered questions regarding “ [...]whether a former colony has a legal title over property that physically, historically, and culturally originated in its territory (Huang, 2013: 170). The US Court eventually ordered, “[...] as the *Mercedes* was a war-ship on a state-sponsored mission, and Peru was then just a colony, Spain was the rightful owner of the treasure”(Watts and Burgen, 2015). There are several points worth highlighting in the case: firstly, why it was a US court that ultimately determined the fate of the vessel, secondly, why arguments from the former colonies were dismissed, and thirdly, what the effects of this will be on future cases such as the impending case of the *San Jose*. To the first issue, in the United States, federal courts have purview over “all cases of admiralty and maritime jurisdiction under the U.S. Constitution (Varmer, 2018 interview). Based off of precedence of the *Atocha* in which a salver was awarded all of the finds, and the fact that Odyssey is located in the state of Florida, Odyssey filed its claim in a federal district court in Florida (Varmer, 2018 interview). More specifically, though Odyssey filed in federal court sitting in Admiralty jurisdiction because of the quoted language which comes from the US Constitution article III²⁰, the case was dismissed because of the application of the Foreign Sovereign Immunities Act (Varmer, 2018 interview).

UCH legislation such as ASA enacted after the *Atocha* clearly thwarted their attempts; if Spain could prove that it was Spanish property, then the court would not have jurisdiction over its management (Huang, 2013: 171). Current law arbitrarily protects the rights of sunken military craft

¹⁹ See *Odyssey Marine Exploration Inc. v The Unidentified Shipwrecked Vessel*.

²⁰ Article III includes that “all judicial power shall extend... to all Cases of admiralty and maritime jurisdiction.” (Federal Judicial Center “Jurisdiction: Admiralty and Maritime” FJC.gov.)

vessels more than it does sunken commercial vessels, based on principles of *sovereign immunity*, a legal doctrine that mandates that a “sovereign state cannot be held accountable for legal wrongdoings in foreign national courts” (Lewis, 1978: 677; Huang 2013) The United Nations Convention of the Law of the Sea state that warships have complete immunity from the jurisdiction of no state other than the ‘flag state’ (Section C, Articles 22 -32). In addition, the United States has a specific “*amicus curae*” with Spain.²¹

The origin of the coins found in the remains of the *Mercedes* is without contestation the once Peruvian, now Bolivian, silver mines of Potosí (Huang, 2013: 179). Peru argued, that as outlined in UNCLOS, “rights of countries as cultural, historical, and *archaeological origin* over historic shipwrecks are legitimate designations of cultural heritage worth protecting” (ibid: 179). While UNCLOS does not rank whether historical or archaeological origin is more important, it does however, urge cases in which multiple nations claim ownership to “cooperate” for the protection of the wreck.”²² While Spain was indeed the flag state at the time, the court, in ruling that the contents, (including some private property) was Spanish, held that national heritage was more legally protected than archaeological heritage. Huang argues that ignoring former atrocities and allowing sole flag-state ownership reifies a “[...] colonialism in international law”²³ (2013: 180).

As Huang recognizes, not all case studies involving restitution of cultural property rule in favor of the state in power as objects that became national property in times of war did not always become permanently segregated from their former owners. One only need view the cases of heritage restitution to families post WWII previously seized by Nazi Germany; though art was taken in an act

²¹ This is in reference to a 1902 treaty of friendship between the United States and Spain, in which the US must afford any Spanish ship the same amount of protection as a US warship wreck (Huang 2013).

²² LOS Convention, *supra* note 3, art.303.1

²³ On rejection of colonialism, see the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations, General Assembly Res. 2625 (XXXV) 25 GAOR, Supp. (No. 28) 121; reprinted in 9 I.L.M. 129 (1970).

of war by a country under the same name (Germany) courts have allowed for an informal legal separation of the Third Reich and modern-day Germany, while permitting a legal continuation of modern-day Spain and the Habsburg Empire. Spain was simply not the same ‘nation’ that it is today: as Stein & Stein (1970) highlight, “the greatest myth assimilated into European thinking of this period was the myth of “Spain itself” (14). ‘Spain’ as a singular entity did not exist: “[...] the marriage of Ferdinand and Isabella was not the birth of a unified Spain, but a condominium in which two parts co-existed as separate entities”(Stein & Stein, 1970: 14). Indeed, the states including Catalonia, Mallorca, and Valencia were “legally barred from direct exploitation of the New World” a situation that led to the moniker of calling Spain “the Spains” (ibid).

By contemporary legal standards, the silver for the coins was obtained illegally through enslavement of Peruvians and imported Africans—in the ruling of the *Mercedes*, courts not only ruled out former colony’s claims as legitimate ones, but ultimately underscored that legally speaking, one cannot own hybrid objects beyond the flag state. In essence, the *Mercedes* case disallowed a ‘severability’ between the *Mercedes* shipwreck and the cargo on board (Huang 2013:174). In other words, Odyssey, Peru, and 25 individual claimants argued that while the ship itself might be the property of Spain, the *cargo* was private property and was thus not subject to sovereign immunity. The court rejected this claim, pointing to the Abandoned Shipwreck Act of 1988²⁴ which designates that a shipwreck is defined as the ship AND its associated contents (Huang, 2013:175).

The appraisal of shipwrecks as bounded between cargo and vessel is a unique issue in that the court *legally* structures shipwrecks as a circumscribed context while *in practice* allowing for severability. Despite that the ownership of the contents is defined by the vessel, the objects’ ‘movability’ allows for segregation from not only the hull, but also from its ‘cultural’ value, as material exceptionalism can position ‘treasure’ in opposition to ‘cultural heritage.’ For instance,

²⁴ See Abandoned Shipwreck Act (Pub.L. 100-298; 43 U.S.C. 2101-2106)

usually precious metals will be conserved with great care and privileged in exhibition narratives, while other objects do not receive the same attention. While the country in question has the legal right to do so, it is nevertheless important to acknowledge how contexts such as shipwrecks are treated both in theory and in practice.

The objects from the *Mercedes* were celebrated in a 2014 exhibit in the Museo Naval of Spain, “The Last voyage of the Frigate *Mercedes*.” The catalog essays explicitly state that the contents were *always* Spanish, and even highlight the story of the salvage company Odyssey as attempting to “withhold cultural property that was rightfully Spain’s” (Muños-Delgado and Díaz del Río, 2015)²⁵.



Figure 8 Image from "the Last Voyage of the Frigate Mercedes, Museo Naval of Spain Accion Cultural Española
<https://www.google.com/search?q=mercedes+shipwreck&tbm=isch&source=Int&tbs=sur:f&sa=X&ved=0ahUKEwiz8-C-xbDeAhUJmuAKHWW5CqMQpwUIIQ&biw=1125&bih=664&dpr=1#imgsrc=nLWKesMf2l8OjM:>

²⁵ Translated from Spanish: “Han sido esos caudales, disfrazados de “Tesoros”, el motivo del expolio indigno perpetrado en 2007 por la empresa *Odyssey Marine Exploration* contra el que se inició un proceso jurídico para que se diera la razón a los derechos soberanos de España y que culminó en 2009 con el fallo favorable a nuestra postura por parte de los Tribunales de los Estados Unidos de América.”

In a conversation with the museum curator for “The Last Voyage,” García Ramírez made clear that the central theme of the exhibit was the national legacy of the *Mercedes*, and that any points of contested ownership other than with Odyssey (that is between Peru, and the 25 descendants) were not made public. When asked about whether the treasure on board was indeed all intended for Spain, Dr. García Ramírez explained, “[...] this was in no way a ‘treasure.’ This was tax intended for the Real Hacienda of Cadiz, Spain, and ‘Spain’ at the time included Perú. This was a state-sponsored mission, and a war ship, not a mercantile ship, which would be very different” (García Ramirez interview, 2018).

Despite these distinctions, the history of the vessel is more complex. García Ramírez explained that though the ship itself was a warship, it was not engaged in a battle at the time of its sinking. “[...] This occurred during the Treaty of Amiens, where two countries were still in peace, so that on the part of the British, this was not an act of war, but really an act of piracy”(García Ramírez 2018, interview). The distinctions of the intent of the ship are imperative to draw, as they demonstrate how courts privileged one form of archaeological interpretation over the other; while archaeological relevance such as the name of the ship and whether it was a war or mercantile vessel was given as grounds for ownership, material origin, identity of artisans, and mixed use value of the cargo, was disregarded.

Archaeological material has often become the centerpiece of national narratives, and many have pointed to how modern countries seek legitimacy through demonstrating an uninterrupted past (see Anderson, 1983 and Hobsbawm, 2012). When multiple modern nations, particularly descendants of the Old and New World claim objects, the colonists are able to claim material as national through a mere grazing: a ‘Midas touch’ of colonialism transforms the objects into Spanish heritage, while the millennia of inherited knowledge systems of metallurgy, the extraction of the

material, or artisanship conducted by non-Spanish hands are not seen as legitimate grounds for ownership.

Yet one must also consider the feasibility and repercussions of owning a shared history and the effects of ranking one public's claim over another. In other examples of heritage restitution, prominent pieces have returned due to their place in current national borders, not their archaeological ones. Most recently, an Italian court argued that an undoubtedly *Greek* bronze recovered from the Adriatic should return not to Greece, but to Italy, based on its location off the modern-day Italian coast of Fano (Deb, 2018: n.p.). Some of the only consistently repatriated material on grounds of material composition rather than nationhood are human remains, with genetic or chronological markers serving as grounds for ownership for groups that wish to respect their ancestral heritage.²⁶ Never has someone argued that a Vermeer painting should return to Afghanistan because ultramarine blue paint used pigment extracted from imported Afghan azurite.²⁷ The use of 'hybrid heritage' is not meant to connote that objects have fragments that each must be returned to its associated origin; instead, it recognizes that some former colonies have a sense of an *intangible* heritage of craftsmanship, and a 'void' *material* heritage (gold and silver) that was unjustly extracted and thus missing from its current heritage. No one stage of the object's life is the most important aspect to the final piece; the extraction, the melting, and molding of coins all played equally vital roles that could serve as grounds for heritage claims. Indeed, the coins are parts of Spanish history: but they are also part of Incan, African, and Indigenous ones; instead of repatriating artifacts to any one country, there are both economic and intellectual benefits to sharing the objects, from excavations to exhibitions. In order to protect that which occurred between borders, both geographically and conceptually, one must first acknowledge existence of these hybridities.

²⁶ See NAGPRA (Native American Graves Protection and Repatriation Act, Pub.L 101-601, 25.U.S.C. 30001 et seq, Stat 3048). United States Federal Law enacted in 1990. Law decrees that remains and "cultural items" must return to lineal descendants of federally recognized tribes.

²⁷ Information on pigment from "the Meaning of Making: Vermeer's palette" *The National Gallery*.

Part 4. Protecting the Liminal: Where the Old World Meets the New

When shipwrecks are brought to court, the central focus of both parties is detailing to whom the material belongs. Courts do not explicitly rule if the material *itself* was Spanish, but rather if the rightful *owner* of that material is. In designating the identity of the owners as the sole owners of cultural property, courts are forced to remove the possibility of ownership based on hybridity. Not only does this present a myopic version of the past, but it also limits the degree to which involved countries can pool resources as stakeholders for the recovery of a wreck that involves shared material. This leads to a great imbalance of countries (notably richer nations contrasting poorer former colonies) that are able to fund scientific excavations, such as Spain and the United States, as opposed to countries that are lured into coordinating with private salvers such as Ecuador and Panama (Anzar, April 2018 interview). Excavating a ship is a massively expensive endeavor: the partial excavation of the *Central America* by a salvage company cost \$15,500 per day (Herendorf & Conrad, 1991) while the *Dry Tortugas* wreck operation by SeaHawk explorations cost, on average, “\$18,000 per day” (Søreide, 2000: 285). Salvage companies can only profit from excavating ships with great ‘market value’ like silver, rather than what is perceived as only ‘archaeological value’ to pay off their investors, leading to an over abundance of certain material on the private market (Søreide, 2000: 285). Longer, meticulous scientific excavations could take longer and at a greater cost: excavating the *Titanic* was estimated to necessitate over \$1 billion (Bryant, 2001:110).

Acknowledging each country not as single stakeholder in the entire ship, but as a stakeholder to one of the ship’s life stages, may be a practical way to combine monetary resources of stakeholder countries from excavations and exhibitions. In essence, hybrid objects could benefit from hybrid ownership. The first step in recognizing hybrid history is legitimizing that colonial goods fit into other ontologies apart from ‘economies’ and ‘nationalities.’ For the Inca, for instance, precious metal was animated, harboring sacred beings and entities, in which the power of the artisan, or “sami” (in

examples of Andean ontologies) was contained within the object itself (DeMarrais, 2017: 656).

Chronicler Bernabe Cobo writes,

“those who went to the mines worshipped the hills which contained them and the mines themselves, which they call Coya, begging that they would give up their metal... they likewise adored the metals, which they called mama, and the matrix of said metals, which they called corporas, kissing them as they perform with them in their ceremonies” (Cobo in Lothrop, 1938:11).

Beyond spirituality, gold and silver was also means by which the Inca “materialized ideology” through their symbolic use of objects in the empire to reify the power of the state. As DeMarrais explains, “after conquering a province, the Inkas removed its most sacred religious icon to Cuzco, where it was effectively held hostage to minimize the chance of rebellion”(DeMarrais, 1996: 28).²⁸ These symbolic acts, meant to disperse a “hierarchical message”(ibid) could have assembled a host of materials from groups now lost or poorly understood to the archaeological record, while the assemblage of artifacts may have elucidated political mechanics in the empire. While interpretations made by the Spanish of the Incas should be taken with a caveat, gold and silver from shipwrecks appears hybrid in its melding of different systems of thought; that of the “sacred and the profane”(Durkheim, 1912) into a singular object in which the Inca silver “tears of the moon” (Emmerich, 1965) were contained and commoditized into a ‘piece of 8.’

Much of what scholars know about the destruction of original objects is found in Spanish and indigenous archives that document mining conditions, iconoclasm, and the general treatment of indigenous peoples. Not only were mines opened to harvest raw material, but also a vast number of precious objects and crafted metalwork were melted and reconstituted for Spanish purposes, reincarnated into ingots and bars. The stories of the destruction of New World objects has, in some cases, become so famous that they are featured in post-colonial narratives. For instance, during the

²⁸ See also Cobo 1892[1653], vol.3, bk 12 chap. 22:221

occupation of the Inca in what is now modern day Peru, the Spanish held one king, Inca Atahualpa, for ransom, indicating that he would only be released if he filled two rooms up to an arm's length with gold and silver (Hammond, 1954: 135). Entire building facades were dismantled to pay the ransom—the Spaniards may have pried off as many as 700 plates of gold²⁹ that enveloped the Inca temple the Coricancha, the foundations of which have since been covered by a colonial church (Hemming, 1970: 65).

Despite the chroniclers' indication that Atahualpa completed this task he was still executed in 1533, his life and the destruction of the objects signaling a symbolic end for the Inca ethos (Pillsbury, 2017:5). The stories of these destructions extend to looting of not just cultures that the Spanish encountered, but also prior groups that (in some cases) the Inca themselves had colonized. The systematic looting of pre-Incan tombs on Peru's North coast was carried out through what the Spanish deemed as "mining rights" (Pillsbury, 2017: 12). In some cases, like the Zenú of Colombia, a specific treasury was established in 1535 to handle the mass amounts of gold that emerged from robbed indigenous graves (Craig and Richards, 2003: 1). This targeting of precious metal led to differential preservation in the archaeological record. As Lothrop notes, "[...] of the vast Peruvian booty which fell into European hands in the 16th century, no definitely authenticated object has survived to the present, for objects of precious metals in those days quickly found their way to the melting pot" (1938: 1). The extent of destruction was recorded not just in Spanish registers on ships, but also by indigenous chroniclers, leading to a phenomenon in which former colonies can only claim heritage to the imprints and receipts of that which was taken— not just intangible heritage, but 'void heritage' of that which was lost.

²⁹ Chronicler Xerez reports the plates averaging 4.5 pounds each

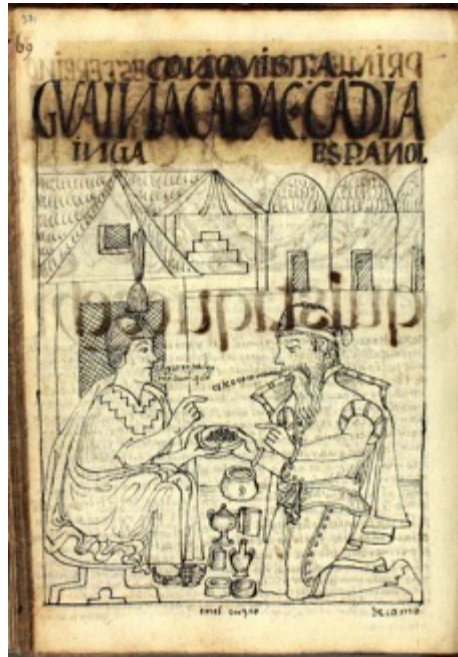


Figure 9 "The Inca asks what the Spaniard eats. The Spaniard replies, Gold." From Felipe Guaman Poma de Ayala, "El Primer Nueva Corónica y Buen Gobierno" c. 1615 (image from the Royal Danish Library, Copenhagen)



Figure 10 Aztec Folio page showing quantity of gold Tribute paid to Spanish. Codex Tepetlaoztoc 1554 (Codex Kingsborough) Folios 15

The Spanish opened mines and exploited the native population, most famously with the mines of Potosí, Bolivia. Later, when the native population began to die, the Spanish brought in another export that would transform the continent and hold repercussions beyond; African slaves. Captured from Angola, the Congo, and the “slave coast” these foundries were manned 24 hours a day 6 days a week (Craig and Richards, 2003: 54). Evidence of their transport is also found in shipwrecks, in the shackles that serve as tragic markers of a gravesite. As a result of their labor, it is estimated that within just 100 years since the discovery of America, the amount of gold and silver in circulation globally “quadrupled in amount”(Walsh, 1832: 98).

Much of the material loaded onto ships were recorded in ship manifests, which are now contained within the *Archivo de Indias* in Seville, Spain. A survey of documents pertaining to shipwrecks in the archives reveals a certain pattern; nearly all of the manifests indicate that gold and silver had been founded, marked, and taxed in towns and cities (from Panama to Peru) with established mints *before* traveling to Spain, suggesting that the labor over these objects in most of the stages of their social lives occurred in the New World.³⁰ There are also manifests of material that had clearly been worked by artisans; in the *Jaimanita* shipwreck, there were descriptions including silver beads and silver plates inscribed with bird designs.³¹ Records were meticulously kept, with the general product (silver or gold) how much was taxed, and also *who* was taxed, linking the material to a private owner.

Shipwrecks were not just rare occurrences, but crises that often affected the empire. In one folio, there were accounts of 5 different shipwrecks between 1592 and 1604, only one of which, I

³⁰ See examples such as: Minas de oro y Plata del Perú, Cusco, y Quito Indiferente, 1530:n.21 and Oro, plata, y joyas fundidas, marcadas, y quintadas en Cusco 1535 Patronato, 185, R. 10 Caja de Mexico, Cuentas de lo Quinto de Plata y Oro 1539-1544 ES.41091.AGI/16//Contraduria, 659 and Orden en el quintar del oro y la plata 1572 Panama, 236, L.10F 281.R-281V

³¹ See Consulado de cargadores a Indias. Flotas y tráfico mercantile Naufragios (1592-1797) Vid. Tb. Legajos 465 a 503 y libros 158 1 168. Documentos sobre el naufragio del registro de Campeche, en sanlúcar 1707. Numero de cuadro de clasificación: 4.4ES.41091.AGI/15//Consulados, 849BIS

believe, has since been located.³² Between 1771 and 1777 there was correspondence mentioning at least two more (*Nuestra Señora de Guadalupe* and *Nuestra Señora de los Dolores*) that likewise, do not appear to have been located. Wrecks happened with such frequency that there were systems in place for their recovery, which interestingly only complicates modern Spanish claims to ownership. Even before the 18th century, there were both physical and legislative ways through which Spain attempted to reclaim its ‘property’ from wrecks. An example of legislative tools of the period includes the following royal decree, which calls for the *Audiencias* and *Chancillerías* of the Indies to “sell in public auction the goods, gold, and silver and other goods saved from shipwrecks, and send the product to the *Casa de la Contratación* for its corresponding delivery to the owners.”³³ Such a restructuring of property indicates that once wrecked, Spain in some cases actually *sanctioned* commercial salvaging for the benefit of the state. The recovered objects themselves were commoditized and made private, while the profit from them was made public. Thus, it was not always the objects themselves that were the ‘national treasure’ of Spain, but rather their exchange values. While modern day Spain may claim ships such as the *Mercedes* as the permanent property of Spain, objects may have moved through various hands, both public and private, before becoming modern ‘national heritage.’

³² Names of the unlocated wrecks include the “Santa Catalina and San Alberto of 1592, the Santa Barbara of 1600 and the “Nuestra Señora de los Reyes in 1603)

³³ *Archivo de Indias*, Royal Decree 87R Indiferente, 424, L.22 F. 87V)

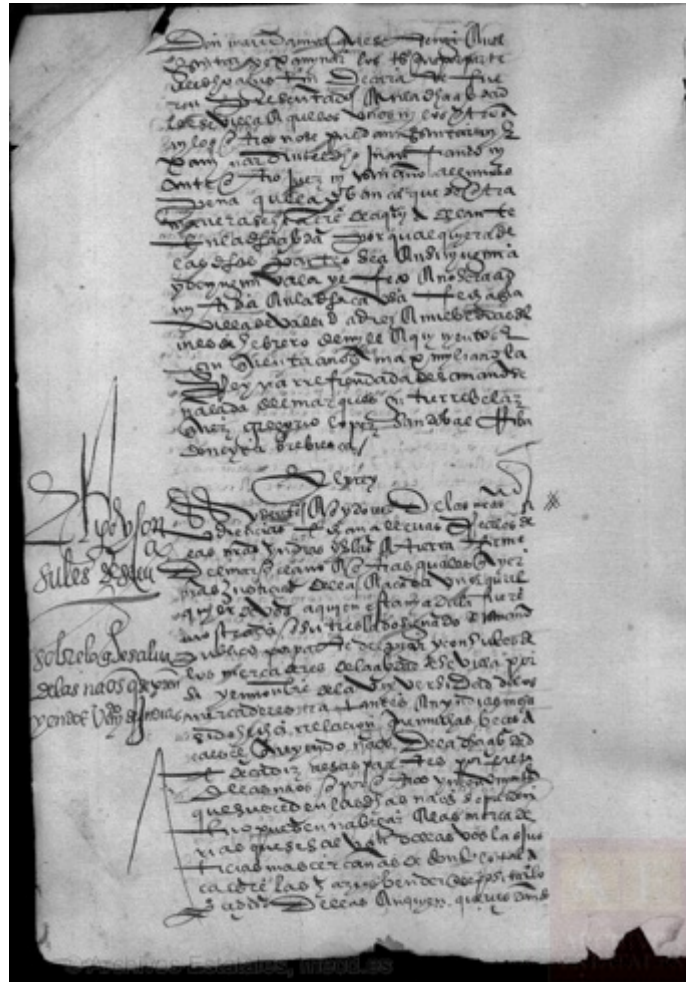


Figure 11- *Archive de Indias*, Royal Decree 87R Indiferente, 424, L.22 F. 87V Detail of decree to sell shipwrecked material in public auction.

Physical ways to recover wrecks include invention and labor. As early as the 1530s, engineers drafted diving bells, thus showing that shipwrecks are not necessarily untampered archaeological ‘time capsules.’ In some cases, the Spanish were able to recover all of the treasure located on the manifest, and sometimes more due to unrecorded contraband (Muckelroy, 1980: 115).



Figure 62 Drawing of Diving Bell, “in order to remove objects from the bottom of the sea” invented by José Bono de Palermo 1538. Archivo de Indias, ES.41091.AGI//MP-INGENOS, 5

The most successful way to recover objects was through a tool familiar to the Spanish: indigenous laborers. Early on, Spaniards relied on native pearl divers for their diving skills, using indigenous knowledge systems for the reclamation of their own material (Muckelroy, 1980: 111). Some estimate that “more than 90 percent of the treasures and other cargoes from vessels were recovered in depths less than 15 meters (Muckelroy, 1980: 112). After the indigenous population perished from disease, the Spanish trained African slaves— by 1693 as many as 1000 were diving, and many to a depth of 30 meters (ibid). Even after an object’s ‘death’ from drowning, the social lives of these objects were resuscitated in indigenous or diasporic hands. While these objects were born, made, died, and re-birthed through non-Spanish hands, the only fingerprint of ownership with lasting legacy was that of the Spanish empire.



Figure 13. Drawing showing free divers working on Caribbean Wreck in 1625. Image from Marken, 1994.

Little discussed is that in restituting or designating archaeological material is the fallacy of a ‘pure object.’ As Prown (1982) illuminates, a caveat in reading cultural norms, preferences, or any form of communication is that the present “reader” of the object is “pervaded by the beliefs of our own social groups, nation, locality, class, religion, and politics”(ibid: 4) In essence, the fundamental flaw in material culture studies is a “pervasive determinism” in which “every effect observable in or induced by the object has a cause”(ibid: 6). Thus, the current scholar or viewer may misread the

original intent of the object, which in turn creates an artificial vision of this object as a manifestation of “behavior, or human action”(ibid.) In this case, we might see a coin as an item of exchange, not as being constituted as a material that was worshipped, or a manifestation of slave labor. Objects from shipwrecks are particularly deceiving, as even jewelry was not necessarily made for adornment, but for exchange: during the 17th century jewelry was not taxed, leading to the creation of chains in which links seems to be “the precise weight to the gold escudo coins of the period”(Mathewson, 1986: C-13 page 59).

As Prown says, “a change, even a minor change, in any of the properties of a work of art transforms it into a different work of art” (1982: 15). These “minor” changes in the object also have pervasive impacts of who is conceptualized as *owning* the art. How many minor changes must occur before objects shift categories, whether from jewelry to money or Aztec to Spanish?

There are examples of not just hybrid materials, but also hybrid artistic styles that make designating a certain object as indigenous versus Spanish difficult. For example, certain containers recovered from the *Atocha*, now on display in the *Museo de América* in Madrid, reveal a hybrid between silverwork and the incorporation of native materials, such as gourds (see tea kettle circled in following image). Experts in colonial jewelry who analyzed goods from the *Atocha* point to how materials reveal indigenous methods of metallurgy such as lost wax casting (Mathewson, 1986: C-22, and Muller, in Mathewson 1986, C-24).



Figure 14 Artifacts from *Atocha* Shipwreck, *Museo de América*, Madrid. Photo by Author, March 2018

Figure 15 Detail of single link from a belt recovered from the Atocha. Dr. Priscilla E Muller believes that the style reflects Meso-American Indian Goldsmiths. From Mathewson, 1986. *Treasure of the Atocha: 16 Dramatic Years in Search of the Historic Wreck*. C-24

The power dynamics of mining and re-constituting metal contains a ‘conveyer belt’ of systems; operating it were the Spaniards and local elites, but the system would not have functioned without indigenous hands and craftsmanship. To which heritage does the object belong? Is it the person who rendered the design? He or she that made the mold, or the slaves that constantly filled them? The

objects such as the treasure bars recovered from ships represent not only a multitude of cultural craftsmanships, but also terrestrial routes: stamped with the minter's marks and from checkpoints along the paths they traveled, these objects quite literally wear their journeys that spanned geography and time. Closer analyses of their forms contain information of how they were made, which in some cases may be signature processes that 'belong' to certain groups. Objects are infused with Leroi-Gourhan's concept of *chaîne opératoire*, (1943) in which the series of steps that are learned to make the object are eventually habitualized and thus "culturally based" (Renfrew and Bahn, 2004: 96). While a daunting task to parse 'unconscious' versus a "cultural choice" (ibid: 97) that led to the object's creation, one could argue that these "habitualized and cultural" modes of production are forms of intellectual property and heritage of a particular group, only some of which is recognized by the court. Thus while 'lost-wax casting' is not a legally protected category, 'Spanish coin minting' inadvertently is. As Renfrew and Bahn state, objects wrought by metalworking reveal "set steps which are more or less evident in the finished object"(2004: 96). With a greater recognition from UNESCO for traditional craftsmanship as 'intangible cultural heritage,' claims to safeguarding "skills and knowledge" (UNESCO, 2003) involved in production buttresses the idea that imbedded in colonial hybrid objects are forms of intellectual property.

The unintended consequence of repatriating hybrid materials is the erasure of intangible histories; the objects *become* Spanish during the legal process through their associations with a singular transition during their *chaîne opératoire*. This is highlighted with a systematic dissection of an object's biography with each stage of its making associated with a different stakeholder. Even if the subjects of the Spanish Empire only came into contact with the object at one principle stage, their ties to a continuous nation-state becomes grounds for modern Spain's title as sole owner.

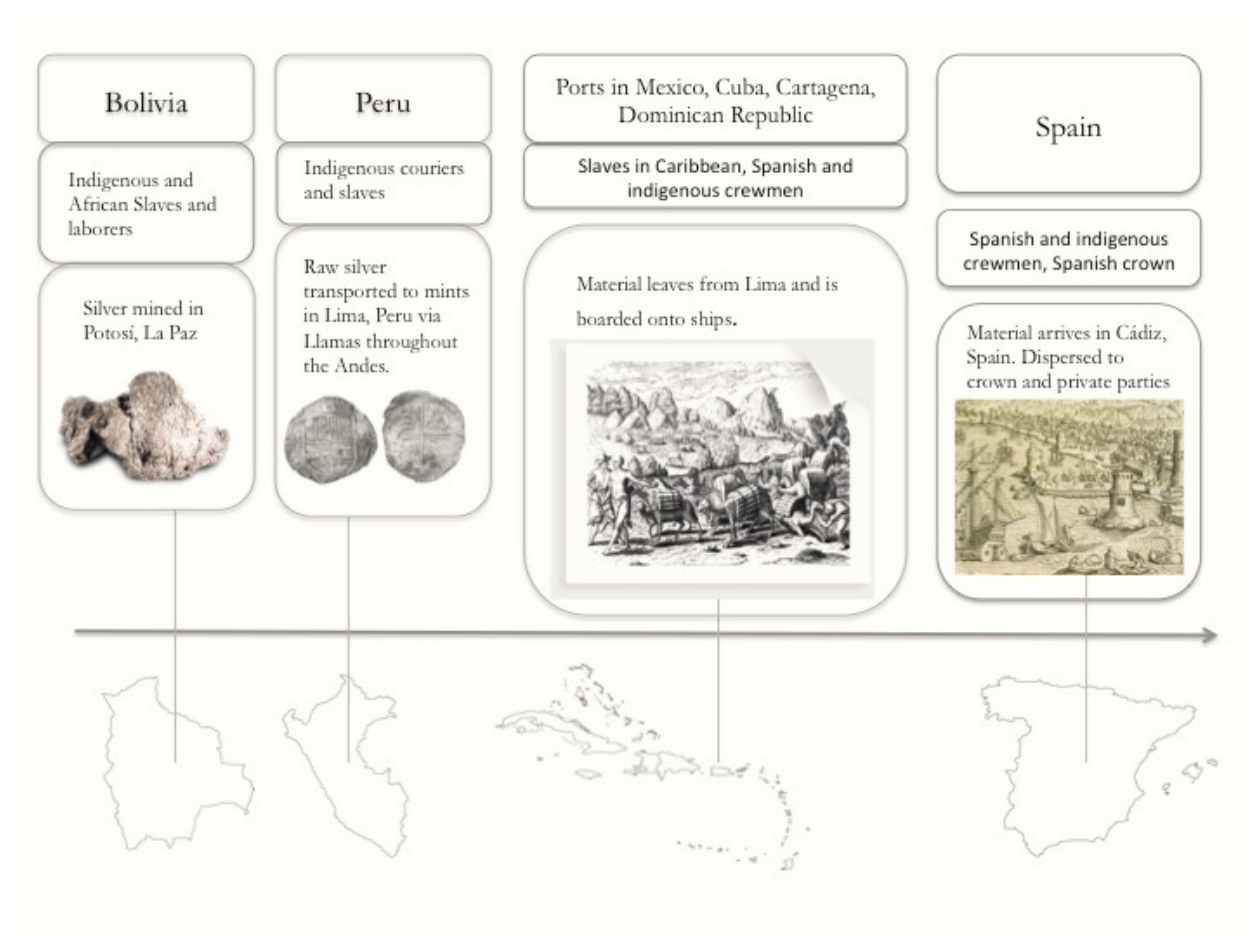


Figure 16 Diagram of chaîne opératoire of silver, by author. Top section is modern-day nation, middle one is past stakeholders, and third level is process.

Given the multitude of stakeholders, the various knowledge systems embedded in the object and its journey from metallurgy to ship building, why is there only one owner? An element of the issue lies in the material's category as 'treasure' which becomes a legally privileged category. Carman speaks to this concept of 'treasure' arguing that the ownership process begins with a socially motivated preference to esteem certain kinds of material, and "[...] from this, a legal regime is structured that protects its value" (Carman, 1993: 34). Additionally, Carman attributes singular ownership to antecedent definitions of property: modern notions of protecting 'cultural heritage' are tied up to their earlier legal counterparts of "cultural property," a term first used in the 1954 "Hague

Convention on the Protection of Cultural Heritage in the Event of Armed Conflict”(Carman as cited in Forrest, 2002: 4). Legally speaking, ‘property’ can only have one owner.

Lowenthal contends that while history is still mostly written by the winners, *heritage* increasingly belongs to the losers, who need to “make up for what they’ve lost” (2006: n.p.) In the case of Spain’s former colonies, the material cultural heritage does not appear to adhere to this paradigm, as colonial claims are positioned as illegitimate. While this argument has called for a view of hybrid history, it is necessary to acknowledge that the term ‘hybrid’ has a history and criticism in its own right; with the increase of postcolonial studies, the focus on hybrid objects that reflect competing cultural contexts has blossomed, along with the disagreement of how to properly define it (VanValkenburg, 2017:17). An issue is that ultimately the term lacks specificity: “[...]archaeological scholarship has predominantly employed the terms ‘hybrid’ and ‘hybridity’ to refer to an unspecific concept of culture mixture[...] and ultimately a process that is seen as inherent in the objects itself rather than the processes through which they are produced, used, and understood”(VanValkenburg, 2017:18). In his critique, VanValkenburg posits that while the term “hybrid” can be useful, the objects themselves should not be seen as “entangled” products of cultural encounters, but rather as the processes that made them, such as shifting aesthetic taste, technological innovations/destructions, and growing necessities (ibid).

Similarly, Liebmann contends that calling such objects “double objects”(2015: 321) does not necessarily highlight their social roles, but ultimately obfuscates them. He elaborates, “indiscriminately labeling objects as ‘hybrids’ risks projecting our own understandings onto the societies we study, telling us little about the perspectives of the people who made and used these objects [...] Hybridity, it seems, is in the eye of the beholder”(2015: 321). While there are indeed flaws with the term, both VanValkenburgh and Liebmann ultimately contend that the term need not

be erased, but rather that the understandings and its implementation need to be further explicated, particularly in how the term is used to describe indigenous versus Western objects. As Hameiri and Jones highlight, “[...] archaeological studies are guilty of employing hybridity to characterize the material culture used by Indigenous peoples, but far less frequently to characterize that used by colonists” (2007:11) Liebmann reflects this assertion stating:

“in theory, hybridity applies just as much to the ‘composite’ material culture of the colonizer as that of the colonized, and to pre-Columbian contexts as well as those that occurred after the voyage of the Niña, the Pinta, and the Santa Maria...the only way to address this unequal application is for archaeologists to heed hybridity on the either side of the colonial encounter as well, in context where power dynamics favor colonial settlers” (Liebmann, 2015: 325-326).

Following Liebmann’s critique, ‘hybridity’ is used to discuss the different ways that people have made, owned, and managed material recovered from wrecks that reveal the colonizer’s change in taste just as much as indigenous ones. As Dean and Leibsohn elaborate, the descriptive term of “hybridity” was often used to homogenize material as “European” and sets them against “non-European conventions”(2003: 6). In using the term ‘hybridity’ the suggestion is not of two ‘pure’ cultural contexts of the Old and New World coalescing to produce ‘offspring’ containing equal parts of each hemisphere; rather, these conglomerates drew different quantities of iconography and meaning from various aesthetic regimes. In agreement with Dean and Leibsohn, “hybridity is not so much the natural by-product of an ‘us’ meeting ‘them’ but rather a recognition- or creation- of an ‘us’ and a them” (2003:6). The terms ‘creolization’ ‘syncretism’ and ‘confluence’ have been used to describe similar patterns, but normally refer to material composed of formerly disparate elements now integrated into homogenous forms. The use of the term ‘hybridity’ is employed to reveal the plural ‘heritages’ that modern groups visualize within the objects today; while Dean and Leibsohn point to a weakness in the term in that hybridity was only treated as “leaving a visible trace in objects” (2003: 25) the terms has since been used to convey the invisible traces of labor and cultural imaginaries as well. The hybrid forms produced by Old and New World exchanges contain

intersections of art and ontologies. There are three possible ways to frame these mixtures, or rather ‘material hybridities.’

1) Hybrid Frames in which instances of indigenous, pre-Columbian material are framed in Spanish ships or in Spanish collections.

2) Hybrid Transformations in which an indigenous object becomes something else through re-constituting its original material.

3) Hybrid Iconography that involves Spanish or indigenous groups “copying” or “co-opting” novel styles.

There is evidence of all of these material hybridities, yet if located in shipwrecks, or colonial contexts, all of the objects ‘become’ Spanish.

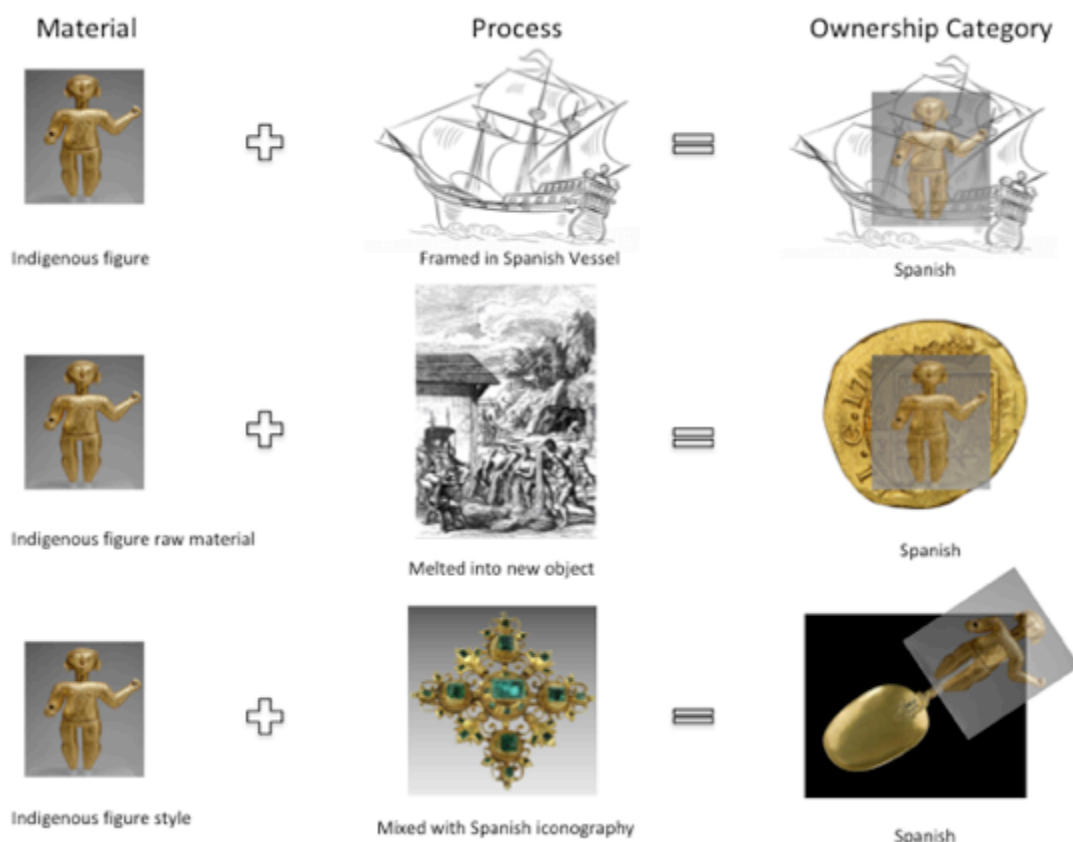


Figure 17: Material Hybridities. Graphic by author.

1. Hybrid Frames

In *Jewels in Spain: 1500-1800* Priscilla Muller dedicates a chapter to New World and Old World exchanges, beginning her chapter by stating, “Jewels encountered within national borders are not necessarily of that nation in origin or style”(Muller, 2012: 1). She highlights that uncorrupted native material appears in many records as having been shipped to Spain, including a journal entry by famed artist Albrecht Dürer who commented on the “subtle ingenia” of objects brought back to Charles V by Cortéz:

I saw the things which have been brought to the King from the new land of gold: a sun all of gold a whole fathom broad, and a moon of silver of the same size, also two rooms full of their equipment, also weapons, armor, darts, wonderful shields, curious clothing, bedding, and all kinds of marvelous things for various use [...]I marveled at the subtle ingenia of people in foreign lands. (Dürer, 1519).³⁴

There is some evidence of pre-Columbian material from shipwrecks that has been little explored or compared. Muckelory highlights that objects from an unidentified wreck found by salvors included “obsidian blades and a polished pyrite mirror [that] were presumably taken home as soveniers” (1980: 106). In Marken’s analysis of material from 17 different shipwrecks, Marken includes examples of indigenous pottery from the *Atocha*:³⁵ a storage jar with a molded mouth, nose, ears, and eyes on the neck, and globular-base bowls with slightly averted mouths. As Marken speculates, “[...] the wares were employed in the galley for the preparation of food, and may even suggest that an Indian cook was part of the galley crew”(1994: 211). While understudied, the material of these assemblages reveals intricate power and social dynamics in which not all of the crew and its associated artifacts were necessarily “Spanish” nor were some objects ever necessarily intended for

³⁴ See Richter 2017 “Bright Kingdoms” *Golden Kingdoms*. Translation by William Conway 1958, 101-2; with amendments by the author and Hanns Hubach. See also Bleichman and Mancall 2011 on the subject of early modern collecting.

³⁵ In Marken, see Fig 6.23, 6.24, 6.25, 6.26 and plate 33.

Spain. However, more research is needed as New World pottery aboard shipwrecks has been little explored: “unfortunately, until law forbids the private salvage companies of monetary profit, the studies of the colonization period will remain a confusing one” (Marken, 1994: 2).

2. Hybrid Transformations

As to the second issue of reconstituted objects, there are examples of material changes found in shipwrecks, from a simple stamp of the *quinto* tax on an object, to treasure bars that are of clear pre-Columbian metallurgical composition. A prominent piece with a pre-Columbian form but Spanish intervention was located in 1975, when a fisherman off the coast of Veracruz, Mexico, discovered a cache of 38 gold ornaments and two gold bars that all had Spanish colonial seals (Torres Montes and Velázquez 1989: 217-70). While the original location of the cache is unknown, the design of the ornaments appear to be Miztec, and it is speculated that they formed part of an “original shipment of gold to Spain assembled by the conquistadors”(Metropolitan Museum of Art label, Golden Kingdoms, April 2018).

The jewelry is remarkable not only because it shows pre-Columbian motifs such as step fret designs or, xicalcolihqui (Finegold and Hoobler, 2017: n.p), but also because it is such clear evidence of a material confrontation and indeed looting by Spanish colonists: the piece was stamped with a “c” presumably for Charles V (Torres Monte and Velazques, 1989). A piece from the “Fisherman’s Cache” appeared in the Metropolitan Museum of Art’s colonial section of “Golden Kingdoms” exhibition in 2018, as exhibited here. That the case situates bullion so closely to an art object creates a visual evolutionary journey of the object, outlying its hybrid form in both material (most likely sourced or forged by the Aztec) and the power body that compelled them to do so (the Spanish).

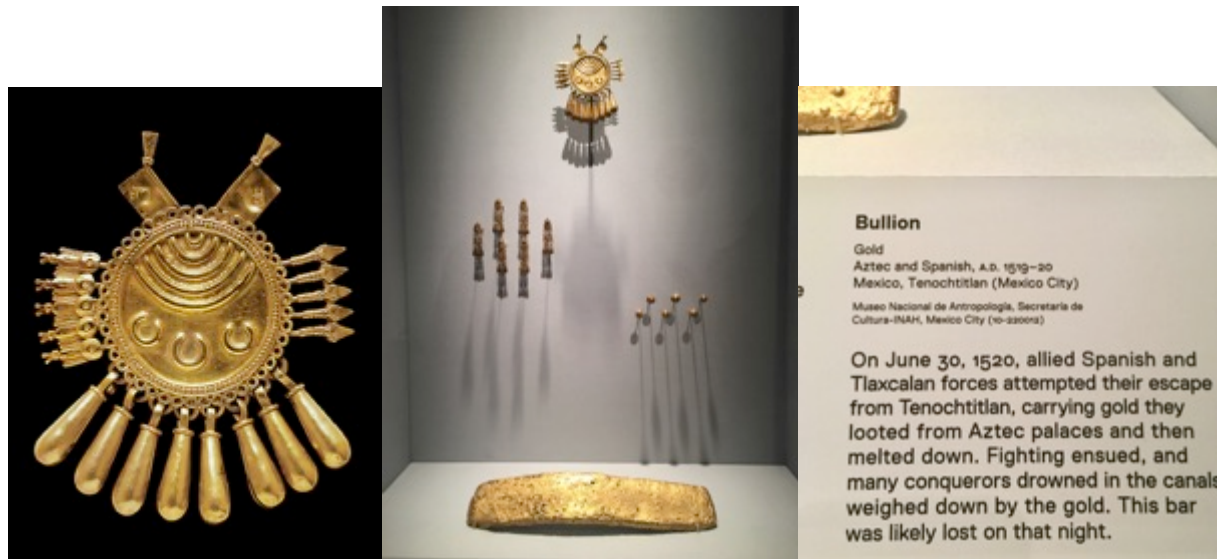


Figure 18 Left: Miztec Pendant. 1500, recovered as part of the "Fisherman's Treasure" the top right has been stamped with a "C." Source: Metropolitan Museum of Art, Golden Kingdoms. On Loan from *Museo Baluarte de Santiago*, Veracruz (10-213084) Center: Photo of mounted fisherman's treasure, Metropolitan Museum of Art, 2018, Photo by author. Right: Label from the Metropolitan Museum of Art Golden Kingdom's exhibition, 2018, photo by the author.

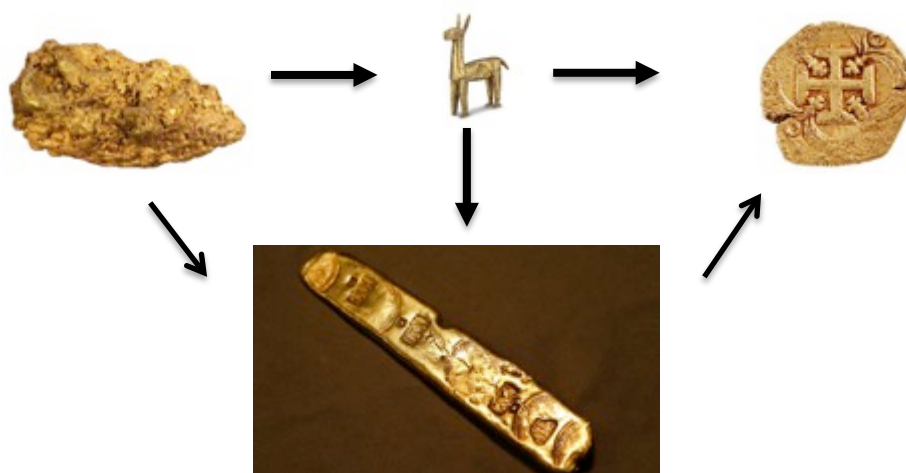


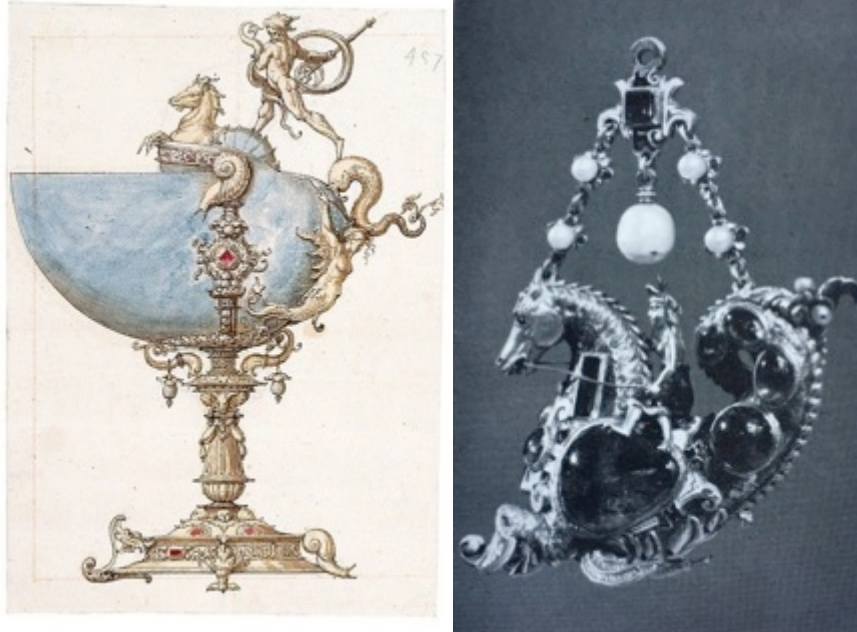
Figure 19 "Which is the "Real"" object? Graphic by author, 2018 Sources of Images: raw gold from sapling.com. Bullion from Nuestra Señora de Atocha, Inca Llama figurine www.dkfindout.com/us/history/incas/inca-gold Gold coin: from coinquest.com

On the other side of the reconstitution spectrum are examples that are aesthetically unrecognizable and yet are compositionally pre-Columbian, such as ingots from the *Tumbaga* shipwreck, located in 1992 by the commercial salvaging team Marex. While not much academic discourse has surrounded the wreck given its commercial salvaging, some have turned their attention towards the ingots found within. The wreck is so named for a style of metalworking that was unknown to Spaniards pre-conquest: an alloy called *tumbaga*, signaling that the ingots were not raw material, but rather melted metal objects, most likely from Central or South America (Escobar, 2018 interview). More than 200 silver bars, 20 small gold ingots and 24 early gold money pieces were salvaged and dated to the time of King Charles I of Spain due to the fact that pieces were marked by his seal (Garcia-Barneche, 2010). Even the auction website is transparent about the origin of the original material of the wreck, stating, “[...] these tumbaga ingots have become ever more appreciated for their rarity and importance as hard evidence of the confiscation of silver from Mexican natives by Spanish conquerors” (Daniel Frank Sedwick: Lot 242)

3. Hybrid Iconography

The third type of material hybridity is aesthetic, with both indigenous and Spanish iconography intermingling within a single object. Perhaps one of the best pieces to demonstrate this aesthetic hybridity is that of a curio object, which Priscilla Muller designates as “uniting New and Old World motifs”(Muller, 2012: 56). As she describes,

Hardly the mythological trident bearing Neptune astride a hippocampus, the bare-breasted, long haired, fully bosomed and skirted female riding side saddle might be regarded, principally on the basis of what is possibly a feather headdress, as an American Indian, and the jewel consequently to evidence relationship with Spanish maritime activities. But the circlet closely resembles on worn by Neptune in a Barcelona’s silversmith drawing on 1556. (Muller, 2012:56)



Left: Figure 20 Neptune, 1535. Pieter Coecke Van Aelst. The Metropolitan Museum of Art. Right Figure 21 Pendant xvi century, enameled gold with emeralds and pearls (London, British Museum) fig. 38 in Muller (2012; 57).

This form clearly incorporates both Spanish and indigenous imaginaries, the metalworking melding two ontologies into a singular object invoking a classic subject matter with a New World protagonist. There are such hybrid objects that have been located on wrecks, including the *Atocha*: an example of this is the “*Atocha* Spoon” which appears, amongst its floral patterns to have “a serene masculine face flanked by condors: a symbol of royalty among Inca people” (Truong, Alain: Guernsey’s The Mel and Deo Fisher Collection). One can also find similar motifs from other objects in the *Atocha* in the Museo de America collection, including pitcher handles, containing a similar face to that of the spoon.



Figure 22 Gold Spoon, *Atocha* Shipwreck. Image from alaintruong.com/archives

Figure 23 Detail of pewter jugs from the *Atocha* showing indigenous design. Mathewson, 1986

The spoon and the pitcher are examples of blended heritages, encompassing a mixture of DeMarrais' (1996) "materialized ideologies" in which the Old World wished to display its 'exotic regions' for a home audience, while the New World used its own ideologies to complete the request. In terms of ownership, the spoon is within a private collection, while the pitcher is within Madrid's *Museo de America*. In the former, its status of 'treasure' has allowed it to be removed from indigenous ownership, while the latter's positioning as a Spanish Colonial object in the *Museo de America* frames it as the heritage of colonization, and not necessarily as indigenous. Yet one cannot simply perform object biopsies by cutting off that which is indigenous and returning it to former colonies; like the torsion of a rope in tug-a war, the greater the pull of opposing heritages, the stronger the bind of a shared history.

Conclusion

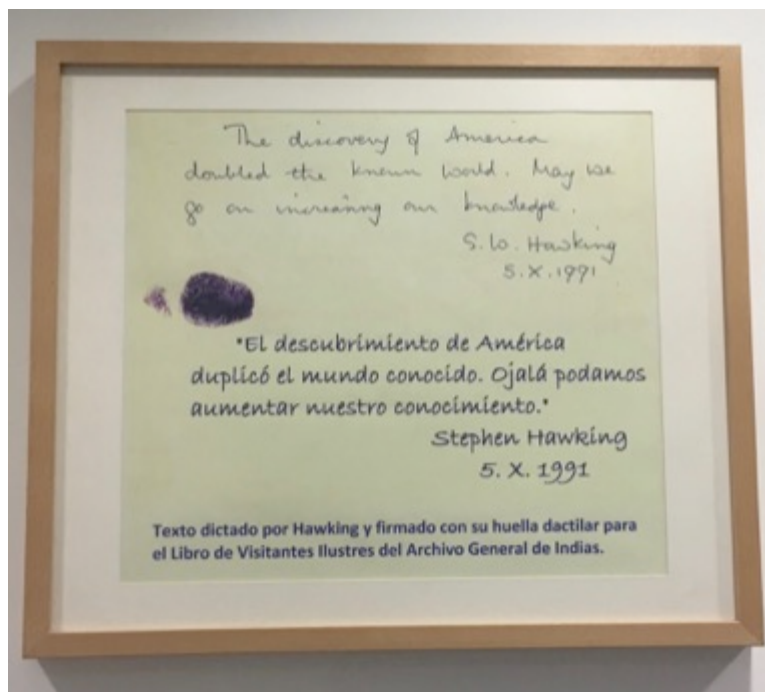


Figure 24 Photo from the *Archivo de Indias*, taken by author 2018 with permission from Archives

While conducting research in the *Archivo de Indias* I noticed a framed quote on the wall in the research room. It was a 1991 visitors' note dictated by Stephen Hawking reading: "The discovery of America doubled the known world. May we go on pursuing knowledge." While the quote reveals how researchers must aim to expand the material record, this dissertation has argued for an expansion of the immaterial one, and has argued that broadening intangible definitions through introducing 'hybrid' ownership will ultimately protect the historical integrity of the tangible. The Columbian Exchange was a global phenomenon, with material evidence of networks and mingling value systems, yet, whether through the private market or through repatriation, objects from it are only considered to be one nation's singular heritage. With landmark cases such as the *Mercedes*, new cartographies of cognitive ownership appear to be drawn over shipwrecks and their contents, (particularly New World metal) with many former colonies arguing that their status as source communities had been ignored. There are many ways for hybrid objects from the Old World/New World to "become" Spanish. It is not only through their framing within a Spanish ship, their melting, or their stylistic intermingling, but also as a result of court rulings. The *Mercedes* case revealed a tension between archaeological definitions, and how these definitions are legally managed: while courts acknowledge links to a current nation as legitimate, links to the origins of materials or intangible processes were not protected. While archaeologists and stakeholder groups may acknowledge these objects as hybrid due to their materiality, makers, or locations, there is legally only one owner that is allowed jurisdiction over the material.

The dissertation reveals that shipwrecks are legally vulnerable by showing evidence of dispersal of material on the private market, and the varying outcomes of court cases for disputed wrecks. By introducing the objects as hybrid objects, (amphibious in linking water and land, and shared by joining New/Old world cultural systems) the argument claims that 'hybridity' cannot have a sole owner. The material's exclusive Spanish ownership is accomplished through a "Midas touch"

of colonialism in which the material's contact with Spain turns the objects to Spanish, no matter how brief or transactional Spain's contact in the object's *chaîne opératoire*.

In his discussion of how museums transform the public's way of seeing, Alpers describes the placement of sacred art in secular space as “alchemical” in its ability to translate objects “between worlds”(Alpers, 1991: 29, as cited in Bustamantes, 2016:11). The material of the Columbian Exchange falls into this translation as well: the “secular space” of the courtroom is alchemical in moving heritage from the New World to the Old. Rather than hybridity necessitating a division of colonial material based on stakeholders' competing claims, hybridity can be a cause for coalescence. Just like the object's hybridity, the heritage of the New and Old World is more than the its economic sum, and certainly more than the sum of its parts. Hybrid heritage offers “diverse routes to the past [that] are neither fixed nor firmly bounded” (Lowenthal, 1998: 3). In using Western definitions of ownership, the heritage field has often intercepted these routes from certain groups with blockades of ‘nationality’ and ‘tangibility’ as means to thwart claims from groups with other ways of defining historical ties. Acknowledging objects from hybrid heritage as comprised of different parts by different people does not conceptually fragment the objects' histories; the objects and their pasts are alloys; composed of layers of different materials and techniques that strengthen the objects' permanence. While colonialism operated under the maxim of ‘divide and conquer’ perhaps the remedy for acknowledging post-colonial heritage is to do the same– in conceptually dividing ownership of the objects' intangible life stages, groups can re-conquer heritage narratives once lost.

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Appendix A.

SHIPWRECKS AND LEGAL OUTCOMES

Ship Name)	Legal Outcomes	Name of Case/ and or Description
<i>Atocha</i>	finder rights	Florida Dept of State v. Treasure Salvors 458 US 670 (1982)
<i>Titanic</i>	split between involved parties as a result of UNESCO convention 2001	
<i>Mercedes</i>	rights to flag state	Odyssey Marine Exploration Inc, v. The Unidentified Shipwreck Vesel, Case no. *:07-CV-614-SDM-MAP
<i>San Jose</i>	unknown (ongoing)	-Ongoing-
<i>La Galga</i>	state ownership	Sea Hunt, inc v Unidentified Shipwrecked Vessel or Vessels, 47 F Supp. 2d 678 (ED Va 1999) (same as Juno)
<i>Juno</i>	rights to flag state	Sea Hunt, inc v Unidentified Shipwrecked Vessel or Vessels, 47 F Supp. 2d 678 (ED Va 1999)(same as la Galga)
<i>La Trinité</i>	rights to flag state	Global Marine Exploration salvage, clames by france Agreement signed March 2003 giving right to France Musée national de la Marine. Control to Texas for 99 years.
<i>La Belle</i>	rights to flag state	
<i>Akerendam</i>	finders rights	Divers awarded 75% of treasure.
<i>Birkenhead</i>	federal ownerships	1989 British and South African governments agreed to share any coins recovered. Award rendered on 14 September 1872 by the tribunal of arbitration established by Article I of the Treaty of Washington of 8 May 1871
<i>CSS Alabama</i>	rights to flag state	
<i>Gilt Dragon</i>	rights to flag state	Robinson v The Western Australian Museum (1977) 16 ALR 623
<i>Santa Margarita</i>	finder rights	Treasure Salvors, Inc. v Unidentified Wrecked & Abandoned Vessel (Treasure Salvors III) 640 F. 2d 560 (5 th Cir 1981).
<i>HMS Hermes</i>	rights to flag state	Cantebury Crown Court tried salvors who illegally removed items. June 23 2018.
<i>Central America</i>	finders received salvage award	Columbus-America Discovery Group v Atlantic Mutual Insurance Co.
<i>SS islander</i>	finders rights	Ocean Mar Inc. v. Cargo of the S.S. Islander
<i>Seabird</i>	state ownership	Zch v Unidentified, Wrecked, and Abandoned Vessle. Believed to be the Seabrid , 811 F. Supp 1300 (N.D, III 1992)
<i>unidentified</i>	finders rights	Martha's vineyard Scuba Headquarters v unidentified, Wrecked and Abandoned Steam Vessel. 833 F. 2d 1059, 1065 (1st Cir. 1987)
<i>unidentified</i>	state ownership	MDM Salvage Inc. v Unidentified, Wrecked and Abandoned Sailing vessel. 631 F. Supp 308
<i>unidentified</i>	finders received salvage award	Cobb Coin v unidentified wrecked and abandoned Sailing vessel (Cobb coin II) 549, F Supp 540, 561.

<i>HMS Fowey</i>	state ownership	Klein v unidentified wrecked and abandoned vessel. 758. F. 2d 1511 (11th Cir 1985)
<i>Debraak</i>	state ownership	Sub-Sal inc. v Debraak
<i>unidentified</i>	finders rights	Hener v. United States 525 F Supp 350 (SDNY 1981)
<i>The Nashville</i>	state ownership	Chance v certain artifacts found and salvaged, 606 F. Supp 801, 804 (S.D. Ga 1984)(preASA case)
<i>unidentified</i>	state ownership	Craft v national park Service, CV 92 1769, pp. 5-6 (1992)
<i>Int'l Aircraft Recovery</i>	federal ownership	Int'l Aircraft Recovery, L.L.C v Unidentified, Wrecked, and Abandoned Aircraft, 218 F.3 d 1255 (11th Cir 2000) cert. denied 121 S. Ct. 1079 (2001)
<i>unidentified</i>	federal ownership	US v Fisher 977, F. 1193 (S.D Fla, 1997)
<i>unidentified vessel</i>	state ownership	Lathrop v The Unidentified, Wrecked and Abandoned Vessel, 817 F Supp 953
<i>Ancona</i>	finders rights	Case No. 8:07 cv-00616(M.D. Fla))
<i>Jupiter Wreck</i>	state ownership	Jupiter Wreck v. The unidentified, wrecked, and Abandoned Sailing Vessel (USA 1988)
<i>16th century ship in gulf of Mexico</i>	divided between state and finders	PlatoroLtd v the Unidentified Remains of a Vessel, HerCargo, Etc. (USA 1975)
<i>In Re La Lavia</i>	federal ownership	In Re La Lavia, Juliana, and Santa Marida de la Vision (1996) Irish Law Reports Monthly 194
<i>Juliana</i>	federal ownership	In Re La Lavia, Juliana, and Santa Marida de la Vision (1996) Irish Law Reports Monthly 195
<i>Santa Maria de la Vision</i>	federal ownership	In Re La Lavia, Juliana, and Santa Marida de la Vision (1996) Irish Law Reports Monthly 196
<i>Andrea Doria</i>	finder's rights	J.F. Moyer v. The Wreck of the Andrea Doria 836 F Supp 1099 (D.N.J 1993)
<i>Brother Jonathan</i>	finder's rights	Deep Sea Research Inc, v. the Brother Jonathan 883 F Supp 1343 1362-63(N.D. Cal 1995)

Appendix B.

DISPERSAL OF SHIPWRECK MATERIAL ON PRIVATE MARKET BY COUNTRY

Country or Place Where Located	Number of Wrecks
Australia	2
Bahamas	2
Bermuda	3
Brazil	1
Canada	1
Cape Verde	5
Caribbean (unspecified)	3
Dominican Republic	1
Ecuador	2
England	7
Florida	9
Indonesia	1
Jamaica	1
Portugal	1
Massachusetts	1
Mauritius	2
Mexico	2
Mozambique	3
Netherlands	1
New Orleans	1
North Carolina	1
Norway	1
Panama	3
Peru	3
Philippines	2
Sicily	2
South Africa	5
South China Sea	1
Spain	1
Uruguay	3
Vietnam	1

Appendix C

Material and Descriptions on Private Market

Shipwreck Name	Items recovered from Ship	date	Catalog #	description	location:	further notes	Museums or publications?
Tumbaga Wreck	200 silver and gold bars	1528	1	Tumbaga Wreck	Grand Bahama island	tumbaga was pre-columbian style, meaning bars were melted down	Douglas Armstrong, 1993;Tumbaga Silver For Emperor Charles V of the Holy Roman Empire
Golden Fleece Wreck	a few thousand coins (includes examples of first 8 reales struck in the new world)	1550	1	Golden Fleece wreck	Northern Caribbean	people have gone on record saying that the wreck is in international waters, but they will not reveal the location. .	Wreck contains some of first metal ever struck in the new world.
Santiago 1585	Contents included thousands of silver cobs (marketed in the 1980s) of both Spain and Spanish America (particularly the mints of Seville and Mexico.)	1585	1	Found in 1970s by Ernest Erick Klaar. Was one of the only shipwrecks to produce extremely rare cobs (like the Atocha) of the Panama mint.	Mozambique		
Rill Cove Wreck 1618	3,000 coins, al silver cobs from Meixco and from Potosi and Spain. All coins sold.	1618	1	discovered by Frank Simpson and Mike Hall in 1975.	southwest coast of England		
Atocha	thousands of coins, gold ingots, jewelery	1622	1	coins have ten times market value of non salvage coins because of the press that fisher received	Florida		
Santa Margarita 1622	coins, mostly reales	1622	1		Florida	found in 1626 by Spanish salvagers, who recovered half of its treasure later	

						found by Mel Fisher	
Dry Tortugas Wreck, 1622	gold bars and 1200 eroded silver cobs.	1622	1	discovered in 1989 and reworked in 1991 by Seahawk Deep Ocean Technology. Contents were sold to a museum in key west that later went bankrupt.	Key West, Florida		a museum in key west, Florida, that later went bankrupt
Batvia 1629	10,000 coins, four mexican silver cobs	1629	1	rediscovered in 1963 and salvaged by the Western Australian Museum.	Western Australia		
Panama Hoard 1629	tens of thousands of potosi cobs (8 and 4 reales)	1629	1	no one really knows where this is or how this was lost	camino real trail to Panama		
Mesuno Hoard 1636	many hundreds of Bogotá 2 escudos were found in the riverbase. he latest of the coins was 1636.	1636	1	discovered in 1935. Honda was where freshly struck coins from the Bogotá mint were offloaded from mules and put aboard riverbanks to take the coints to cartagena, on the Caribbean coast, where the coins were loaded onto galleons ultimately headed for Spain. one of the only sources of gold Bogotá cobs.	Magdalena river near Bartolomeo de Honda, Colombia		
Concepción	100 tons of silver and gold treasure. In 1978 divers recovered 60,000 silver cobs, mostly mexican 8 and 4 reales and potosi and colombian combs.	1641	1	William Phipps found it in 1687 and brought home tons of silver and gold to the delight of English backers. The conception was located again 1978 by Burt Webber Jr. The bulk of silver coins were heavily promoted and	Caribbean		

				even found their way to department stores.			
Capitana (Jesus Maria de la Limpia Concepción)	3 million pesos and bullion salvaged. Almost all Potosí 8 and 4 reales	1654	1	official records count the loss of 3 million pesos of silver (2,212 ingots, 216 chests of coins and 22 boxes of wrought silver) which actually amassed to 10 million pesos. For 8 years after, Spanish salvagers officially recovered over 3 million pesos of coins and bullion. The wreck was rediscovered in the mid 1990s and salvaged completely in 1997. There was a 50/50 split with the Ecuadorian government. Investors placed 5000 coins on the market in 1999. Almost all potosí 8 and 4 reales	Ecuador		
Maravillas, 1656	originally 5 million pesos. Previously unknown Cartagena cobs	1656	1	treasure actually included some of the treasure that had been salvaged from the Capitana. Salvaged by Robert Marx, Seafinders in 1972. Then salvaged by Herbert Humphrey and his company Marex in the 1980s and 1990s, resulting in two big sales in London's Christies in 1992 and 1993. The Bahamian government has	Ecuador		featured in an auction of Schulman in New York in 1974, featured in Christies in 1992 and 1993

				not granted any leases since the early 1990s.			
Unidentified 1667 wreck off Sicily	small find of mostly mainland Spanish cobs and Mexican, including rare dates.	1667	1	information around the wreck came from ancient coin channels market.	Wreck off Sicily.		
Unidentified 1671, wreck in Seville harbor, Spain	coins, cob 8 and 4 reales of Potosi, none dated later than 1671.	1671	1	the wreck has not been located but in the mid 1990s a log of unprovenanced coins came onto the maker. Could have been from the Señorita de Santa Cristina of 1672.	Seville, Spain		
Consolación (Isla de Muerto Shipwreck) sunk 1681	8,000 coins (all potosi silver cobs)	1681	1	salvage bean in 1997 by Robert Marz. ship encountered English pirates. Before pirates could get to the ship, the between Roberto Aguirre, Carlos Saavedra, and the government of ecuador reached. crew set fire to her.	South Africa		sold in auction "treasures of the isla del muerto" Sprink Auction house, New York, December 2001. Coins came with individually numbered photo certificates.
Joanna,	allegedly 70 chests of silver coins, about 28,000 gilders worth recovered after wreck in 1682	1682	1	1982 wreck re-discovered by south african divers led by Gavin Clackworthy, who brough up silver ingots and over 23,000 silver cobs, most of them Mexican 4 and 8 reales of Charles II. From 1679-1681. Over the past two decades these cobs have entered the market from both private dealers and auctions.	South Africa		
Association	found about 8,000	1707	1	located by British	Scilly Isles,		sold in auction

	coins, mostly British silver and gold silver cobs, and also Spanish and Spanish America silver cobs.			Naval officers.	UK		in t 1969 and 1971
1715 Fleet	reports of a loss of 14 million pesos (plus and amount of contraband). Found gold jewels, Chinese porcelain, silverware, gold and silver ingots, and as many as 10,000 silver cobs from Colombian mints. From Bogotá, Lima, Mexico, and Potosí.	1715	1	Spaniards undertook salvage operations for several years with the help of indigenous. Recovered nearly half of the treasure. salvage began in 1960s and ongoing today. Initially found in 1950s by Kip Wagner and got a salvage permit from the state of Florida. Formed the "real 8 company). Mel Fisher was their subcontractor.	Florida	Despite a wealth of publications, there is no universal agreement to the identity of the vessel. People use different nicknames that can even be part of the same ships. single largest source of gold cobs on the numismatics market.	
Guadalupe and Tolosa	ships carrying cargo of 400 tons of mercury. On market are earthen wares olive jars and associated artifacts. 13 gold cobs from the mints of Bogotá, Cuzco, Lima, and Mexico.	1724	1	located in 1970s and salvaged.	Dominican Republic		auctioned in 2005
Akerendam	five of the 19 chests were recovered. In 1972 over 40,000 gold and silver coins, and 16, 000 found the next year. 10,000 silver cobs were found from the New world, nearly all Mexican.	1725	1	Norwegians rediscovered wreck in 1972. The coins were split between divers and the Norwegian and Dutch governments, and the divers portion as offered as a whole at auction in 1978.	Norway		
1733 fleet (15 ships)	early salvage efforts were successful, and the Spanish brought up even more coins than were originally on the manifest because of all of the	1733	1	first of the fleet was discovered in 1948 and salvaged in the 1950s by Art McKee, who founded the Sunken Treasure	Florida Keys	fleet includes: El Púpolo, El Infante, San José, El Rubí, (the Capitan)	sunken treasure museum of the Florida keys.

	contraband.			Museum on Plantation Key. Throughout the next decades the wreck sites became a free for all, until the Florida Keys National Marine Sanctuary in 1990. The removal of artifacts from any of the sites is prohibited today. Believed to be more fakes than real coins on the market.		Chávez, Herrera, Tres Puentes, San Pedro, El Terri, San Francisco, El Gall Indiano, Las Angustias, El Sueco de Arizón, San Fernancho, and San Ignacio	
Vliegenhart	one of three chests of Mexican silver and Dutch gold coins (totally 67,000 guilders or dollarized units. Second chest smashed, third one came up in 1992.	1735	1	thousands of Mexican cobs, predominantly 8 reales. Divers under London attorney Rex Cowan discovered wreck in 1981.	Netherlands		
Rooswijk	two chests and hundreds of silver bars.	1739	1	discovered in 2004 by Ken Welling. Salvage company operated in secrecy until 2005, under the direction of Rex Cowan and in agreement with the Dutch and British governments.	Southwest England		
Hollandia	over 35,000 coins salvaged. Great majority were Mexican pillar dollars, and there were some silver cobbs, including Mexican transitional "kilppes" and a few Guatemala cobbs.	1743	1	divers under Rex Cowan did salvage effort.	Scilly Isles, UK		
Reijgersdaal	known to be carrying 30,000 coins. By the 1980s, about 15,000 located. Includes Mexican Pillar dollars and few hundred New World silver cobbs, includeding	1747	1	Starting in 1979 salvage divers recovered coins. In 1980s, legislation enacted in South Africa.	South Africa		

	Guatemalan cobs, which are rarely seen from shipwrecks.						
Dodington	silver coins, mostly Mexican pillar dollars, and Potosí and Lima cobs. The gold was all Portuguese/Brazilian.	1755	1	Discovered in 1977 by South African divers. Involved with a legal battle in South Africa. Gold coins in 2000 sold as "Clive of India Treasure".	South Africa		
Colossus	Greek vases	1798	1	wreck discovered in 1960s by Roland Morris. Many of the broken vases reassembled for the British museum. Morris had own museum until its liquidation in 2002. Salvagers found new portions of wreck site in 1999 and 2001, and the wreck now has government protection.	Isles of Scily, UK		
Athenienne	4,000 Spanish colonial silver bust-type 8 reales.	1806	1	modern salvage began in the 70s.	Sicily		
san Martín	most of it salvaged early by the Spanish. A few Mexican and Potosi cobs.	1618	2	was the almiranta of the Honduran Fleet of 1618. salvage efforts since the 1960s, and finds on the beach opposite the wreck.	Vero Beach, Florida		
Early 1630s hoard	supplier admits that coins are all from same hoard but does not reveal location. Hundreds of cobs located in 2007.	1630s.	2	coins mark a rare transition style for potosi.	Southern Peru		
Vergulde Drack (Gilt Dragon)	about 22,000 coins recovered, Mexican cobs, Potosí, Spanish, and some Colombian rarities.	1656	2	wreck found in 1963 by spear fisherman who recovered coins and artifacts.	Western Australia.		

				Salvage efforts to date, mostly under the ester Australia Museum, has certificates that accompany the coins.			
San Miguel el Arcángel (Jupiter wreck)	carried unauthorized "star of Lima" coinage for the King to see. As of now, a couple of gold ingots, and one large silver ingot. Mexican silver cobs and Potosí. Rare Cartagena silver cobs, bogotá gold cobs	1659	2	discovered by lifeguard Peter Leo in 1987. salvage ongoing as of 2007.	Jupiter, Florida		
Porto Bello		1681 or 1682	2	according to Robert Marx, a storm sank a Spanish Caribbean fleet of the Chaperón, the Boticaia, and an unidentified vessel.	Porto Bello, Panama		
Ca Mau Wreck (unidentified)	porcelain (porcelain identical fo Spanish fleet items of the K'ang His material from the 1715 and 1733 wrecks)	1723-35	2	items first offered for auction by Christies in 1998, but increasingly the Vietnam government has auctioned off porcelains.	Ca Mau Island, Vietnam		
Nuestra Señora de los Milagros	200,000 small artifacts (not gold or silver)	1741	2	Discovered in 1950s by Robert Marx, dived by the CEDAM (Mexican Underwater Exploration Society)	Acumal, Quintana Roo Mexico		
Princess Louisa	new world silver cobs, including rare Bogotá cobs.	1743	2	Wrecksite located in 1998 and 1999. Salvaged by Arqueonautas firm. Most coins sold at auction in 2000-2001	Cape Verde islands, west of Africa	most of finds have been marketed by Houston based coin dealer.	
Geldermalsen "Nanking"	160,000 porcelains and 145 gold ingots	1752	2	wreck found by Michael Hatcher	South China Sea		Christie's Amsterdam 1986 "the Nanking Cargo"

Nuestra Señora del Rosario	reportedly carried 800,000 pesos of treasure. SO far only utilitarian materials have surfaced, such as buckles and spoons.	1753	3		Montevideo, Uruguay		
Piedmont	silver cobs of 1600s, including rare Colombian silver cobs.	1759	3	wrecks salvaged by Selwyn Williams and Les and Julia C Kent. Silver cobs probably offered for auction in 1995.	Lyne Bay, UK		
Leocadia	portrait bust 8 reales, and small silver cobs from Potosí mint. Probably from small, private purse, and not registered cargo.	1800	3	Early Spanish salvaging recovered about 90 percent of treasure. salvaged periodically in the late 20th century. More recent work in 2001	Punta Santa Elena, Ecuador		
S.S. central America	3 tonnes of gold	1857	3	Tommy Thompson and the Columbus America discovery group located wreck in 1986, and engaged in ten years of legal battles. Awarded 92 percent of treasure.	North Carolina, USA		
Unidentified wreck (Ying Lung)	Chinese porcelains	11th to 17th century	3	recovered from unidentified shipwrecks and were excavated with no government supervision. Was assembled by an anonymous salvage consultant for the Philippine National Museum between 1996 and 2003. This is first consignment	Philippines		
Flor do Mar	reported 60 tons of gold. So far some jade artifacts have made it to market.	1511	3	Modern searches for wreck have proved unsuccessful but Robert Marx claims to have	Sumatra, Indonesia		

				found jade from it.			
Rill Cove Wreck	3000 coins were recovered and sold, all silver cobs, from Mexico and Potosí	1618	3	local salvage began in 1618. Rediscovered by Ken Simpson and Michael Hall in 1975	Cornwall, England		
Lucayan (vesel unidentified)	10,000 silver cobs	1628	3	found in 1964. There was a disagreement between salvers, their backers, and the Bahamian government.	Bahamas		
Sacramento	silver coins, mostly Portuguese and Brazilian, and Spanish colonial cobs.	1668	3	official salvage of the wreck began in 1976 by the Brazilian government, at some point involving Robert Marx.	Brazil		
Cazador	allegedly had 450,000 pesos, since recovered hundreds of silver coins.	1784	3	located in 1993 led by Captain Jerry Murphy. Fisherman obtained the rights to find and began recovering finds under Grumpy Inc.	New Orleans, Louisiana		
"Coconut wreck"	1300 silver coins small, orange box with 13 gold coins wrapped in newspaper.	1810	3	discovered in 2001. each coin accompanied by archaeologist's photo and certificate issued by James Sinclair.	Bermuda		golden coins sold in Stacks Auction in New York in 2008
Unidentified wreck	coins and ingots	1554	4	salvagers say it is somewhere off the coast of the Dominican Republic.	Northern Caribbean		
Unidentified wreck	coins (can pass for atocha coins)	1590	4	salvaged secretly by Florida divers.	Yucatán, Mexico	coins said to be similar to Atocha coins	
Wild Horse River Wreck	a few silver coins, gemstone rings, and small iron artifacts	1620	4	salvaged by local fisherman	Rio de la Plata, Uruguay		
sunken city of Port Royal, Ramaica	two million small artifacts	1694	4	In 1965 to 1968, Robert Marx dove the city and recovered	Port Royal, Jamaica		

				artifacts, some of which appear on the treasure auction market from time to time.			
Pasay hoard	400 to 500 silver cob coins	1700	4	located in 2005 while digging a hole for a septic tank. Coins are mostly Mexican reales of Charles II. Coins recognizable for odd shapes and bright white surfaces, meaning that they were technically uncirculated.	Philippines		
Feversham	Massachusetts bay colony shillings and small group of gold cobs (Bogotá escudos)	1711	4	located by Canadian salvager Alex Storm in 1968. Recoveries were sold privately to "a highly reputable Canadian institution" in 1972. Coins have been offered in auctions from 1989 to 1999.	Nova Scotia, Canada		
Slot ter Hooge	allegedly has three tons of silver ingots and four chests of silver coins, all full of Mexican cobs. silver ingots and coins, mostly Dutch ducatoons but also some Mexican 8 reales	1724	4	Half the treasure salvaged by John Lethbridge ten years after the time of the ship's sinking. In 1974 wreck discovered by Robert Sténuit.	Madiera Islands		
Bredenhof	allegedly had 14 barrels of copper, 29 chests of silver bars, and one chest of gold ducats. In modern times, hundreds of silver ingots and thousands of copper coins have been sold in auction.	1753	4	gold recovered by officers of ships after salvage. In 1986 divers found wreck	Mozambique		sold in Christie's auction in Amsterdam, 1986
Hartwell	salvage after the ship's sinking yielded half of the 200,000 ounces of silver. Pirates at the	1787	4	salvaged by Afrimar in 1994 to 1996 and then by Arqueonots	Cape Verde islands, west of Africa		

	time recovered 40,000 more coins. Modern times, some Spanish colonial bust-type 8 reales recovered			from 1996 to 1999			
Pitch Barrel Wreck	1600 bust-type 8 escudos	early 1800s	4	Man approached Art McKee with deal that Art would salvage wreck without recording location or identity.	Bermuda		
Cabalva	bust-type 8 escudos	1818	4	located in 1985 by divers who recovered coins	Mauritius		
Santo Andrew	Spanish and French silver coins	sunk 1856	4	salvaged from 1993 to 1996	Cape Verde		
San José	Allegedly 400 chests of silver. Several hundred Potosí silver cobs recovered	1631	5	Spanish salvagers recovered about half of the treasure, leaving 200 chests. Local divers worked the site. Full scale salvage did not begin.	Panama City, Panama		
San Francisco Wreck	Silver cobs from Mexico and Potosi in the mid to late 1640s	1649	5	Salvaged by firm Arqueonautas from 1999-2000. Could not positively identify the wreck, but determined it was a Spanish ship with a portuguese captain with money to buy slaves. Recovered rare silver plated astrolabe among coins.	Cape Verde Islands		sold in Sotheby's London, in 2000
"Cuzco Hoard"	trunk full of silver 8 reales, minted in Potosí.	c. 1808	5	2007 metal finder in Lima offered a trunk full of silver coins, mostly 8 reales. Allegedly recovered in Cusco by someone who found it buried in the ground.	Peru, Cusco		
"Arequipa Hoard"	trunk full of silver coins, potosi 8 reales.	1830s	5	2007, presumably same metals finder from Lima	Peru, Arequipa		

				who was offered Cuzco hoard presented with colonial pieces from Arequipa.			
Espadarte	cold and porcelains	1558	6	Discovered in 2001 by Arquenautas	Mozambique		
Sabina	thousands of gold and silver coins from Spain	1842	6	Located in about 2009, and all coins were donated to the Port Elizabeth Museum in Cape Town, South Africa.	South Africa		Port Elizabeth Museum, Cape Town, South Africa
St. Geran	Mexican pillar dollars from cargo. Ship manifest says '18 chests'	1744	8	Carried load of slaves from Senegal and a cargo of sugar refining materials and money. Unclear when recovered.	Mauritius		
Sea Horse	treasure was recovered after sinking but precious metal and coins from Potosí still recovered	1728	10	English slave ship.. Had unloaded 138 slaves before setting off and sinking. Unclear when located.	River Plate, Uruguay		
Lady Burgess	recovered a modicum of Spanish silver but type 8 reales and British gold guineas (among private specie on board ship).	1806	11	Located by Arqueonautas in 1999	Cape Verde		
Warwick	Mexican 8 reales cobs	1619	12	salvaged in 1966-1967 by Teddy Tucker and Mendel Peterson. Some 8 reales cobs have entered the market after Peterson's death in 2003.	Bermuda		
Whydah	gold and silver cobs, obtained before objects were put into museum	1717	12	found in 1984 by Barry Clifford. e First identifiable pirate ship ever salvaged. Now a museum dedicated to it in Cape Cod.	Cape Cod, United States		Whydah Museum

